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General Assembly

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Human Rights Council
Twenty-ninth session
Agenda item 10
Technical assistance and capacity-building

Algeria (on behalf of the Group of African States), Ireland, Israel*, Luxembourg*, Maldives, New Zealand*: draft resolution

29/...

Capacity-building and technical cooperation with Côte d'Ivoire in the field of human rights

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights and relevant human rights treaties,

Recalling General Assembly resolution 60/251 of 15 March 2006,

Recalling also Council resolutions 5/1 on institution-building of the United Nations Human Rights Council and 5/2 on the code of conduct for special procedures mandate holders of the Human Rights Council, of 18 June 2007, and stressing that the mandate holder shall discharge his or her duties in accordance with those resolutions and the annexes thereto,

Recalling further Council resolutions S-14/1 of 23 December 2010 and 16/25 of 25 March 2011, on the situation of human rights in Côte d'Ivoire, and 17/21 of 17 June 2011, establishing the mandate of the Independent Expert on the situation of human rights in Côte d'Ivoire, and resolutions 20/19 of 6 July 2012 and 23/22 of 14 June 2013 renewing the mandate of the Independent Expert, as well as resolution 26/32 of 27 June 2014 establishing the mandate for capacity-building and technical cooperation with Côte d'Ivoire in the field of human rights,

Reaffirming that all States have a responsibility to promote and protect human rights and fundamental freedoms, as stated in the Charter, the Universal Declaration of Human Rights, the international covenants on human rights and other relevant human rights instruments,

Welcoming the establishment of a compensation fund for victims of the post-election crisis with an initial capital of 10 billion CFA francs, or approximately US$ 18 million, and the establishment of the National Commission for Reconciliation and Compensation for Victims,

Noting that the human rights situation in Côte d'Ivoire has improved significantly and that it should nevertheless be monitored, given the numerous

* Non-member State of the Human Rights Council.

Please recycle

challenges, notably the restoration of peace, national reconciliation and combating impunity,

Concerned at the continuing sporadic armed attacks on the Forces républicaines de Côte d'Ivoire in the exercise of their mandate to protect civilians,

1. *Condemns* the continuing sporadic attacks by unidentified armed individuals in Côte d'Ivoire, which are liable to thwart the joint efforts of the Ivorian people and the international community to bring security and peace to the country;

2. *Welcomes* the stability in the security situation in Côte d'Ivoire, as indicated in the most recent report of the Secretary-General on Côte d'Ivoire,[1] as well as the work of the Special Investigation Unit, the National Security Council and the National Programme for Social Cohesion, particularly as regards their roles in early warnings, prevention of human rights violations and reconciliation;

3. *Welcomes* the exemplary and continuing cooperation of the Government of Côte d'Ivoire with the United Nations human rights machinery and its commitment to promoting and protecting human rights, and encourages the continuation of efforts to end all human rights violations in the country, prosecute the perpetrators of such acts and help victims;

4. *Also welcomes* the progress achieved by the Government of Côte d'Ivoire in promoting respect for and the protection of human rights, notably its constructive dialogue with the members of the Human Rights Council during the universal periodic review in April 2014 and the presentation of its initial report to the Human Rights Committee[2] in March 2015;

5. *Notes with appreciation* the efforts made by the Ivorian Government to align its domestic legal framework with the Rome Statute of the International Criminal Court, particularly its positive initiative towards abolishing the death penalty, and the introduction into its domestic legal framework of international crimes such as genocide, crimes against humanity and war crimes, superior responsibility for war crimes and the non-applicability of any statute of limitations to such international crimes;

6. *Welcomes* the efforts made by Côte d'Ivoire to enhance capacity in the judicial system, notably through the renovation of courts, legislative reforms to the Criminal Code, the Code of Criminal Procedure, the Civil Code and the Code of Civil Procedure and the re-opening of the assize courts, and calls on the Government of Côte d'Ivoire to strengthen human resource capacity, to ensure that legal proceedings conform to international standards for a fair trial and to consider prosecuting all the alleged perpetrators of human rights violations, particularly those committed during the post-election crisis;

7. *Also welcomes* in that regard the renewal of the Special Investigation Unit, encourages the acceleration of the national processes of investigation and prosecution of the alleged perpetrators of the violence committed during the 2010–2011 post-election period and calls for the full implementation of the mandate of the National Commission for Reconciliation and Compensation for Victims;

8. *Further welcomes* the continuing work in the political framework for ongoing dialogue aimed at facilitating inclusive political pluralism and notes the continued cooperation with the International Criminal Court and the adoption of new legislation, which constitute important progress in strengthening the legislative framework and in promoting and protecting human rights;

[1] S/2015/320.

[2] CCPR/C/CIV/1.

9. *Takes note* of the continuation of the trial of some members of the Forces républicaines de Côte d'Ivoire and the acceleration of the process of investigation and prosecution of the alleged perpetrators of the violence committed during the 2010–2011 post-election period;

10. *Welcomes* the results achieved by the Authority on Disarmament, Demobilization and Reintegration, which represent remarkable progress that has made it possible to consolidate security in the country;

11. *Also welcomes* the reform of the Independent Electoral Commission, which as established after a broad process of consultation with all stakeholders, and the continuation of the electoral process towards fair, free, transparent, inclusive and calm elections;

12. *Takes note* of the oral update provided by the Independent Expert at the twenty-eighth session and his first report presented during the twenty-ninth session,[3] as well as his recommendations;

13. *Applauds* the commitments made by the Ivorian Government during the various sessions of the Human Rights Council to endorse the Independent Expert's recommendations and its fruitful cooperation with the Independent Expert in the framework of his mandate;

14. *Also applauds* the efforts of the Government of Côte d'Ivoire in ratifying international and regional human rights instruments, particularly the adoption of the Act of 20 June 2014 on promoting and protecting human rights defenders and the adoption in July 2014 of the Act governing prevention, protection and punishment in the fight against HIV/AIDS, and encourages it to continue in that direction and to proceed in its efforts to bring its national legislation into conformity with the international and regional instruments it has ratified, ensuring the effective application of those instruments;

15. *Notes with satisfaction* the continued improvement in the humanitarian situation on the ground and calls on United Nations agencies and other relevant actors to continue, at the request of the country, to provide assistance to refugees and internally displaced persons, in conformity with the measures put in place by the Government, so as to encourage their safe and voluntary return to their homes;

16. *Notes* the importance set by the Ivorian authorities on combating the sexual violence suffered by women and children, notably with the adoption of a national strategy to curb the phenomenon and the efforts made to protect children, and calls on the Government to do everything possible to carry out investigations into the recurring allegations of violence against women and children;

17. *Requests* the international community to continue to support the reconstruction and reconciliation process under way in Côte d'Ivoire and to provide the assistance requested in the specific areas in which such assistance is necessary, including in strengthening the capacity of the mechanisms for combating violence against women and children;

18. *Requests* the Office of the United Nations High Commissioner for Human Rights to continue to provide the technical assistance requested by the Government, to help Côte d'Ivoire to meet its human rights obligations;

19. *Calls on* the international community to support the national efforts made by Côte d'Ivoire and its institutions to strengthen the rule of law in the country, and to respond to its requests for technical assistance in the humanitarian, educational, health, economic and social spheres;

[3] A/HRC/29/49.

20. *Also calls on* the international community to continue to support the National Human Rights Commission, through technical assistance and capacity-building programmes, with a view to enabling it to contribute effectively to the promotion and protection of the fundamental rights of the Ivorian people, in accordance with the Paris Principles;

21. *Decides* therefore to extend the mandate on capacity-building and technical cooperation with Côte d'Ivoire in the field of human rights for a period of one year, from the twenty-ninth to the thirty-second sessions of the Human Rights Council;

22. *Requests* the Independent Expert to submit a report to the Human Rights Council at its thirty-first session and his final recommendations at its thirty-second session;

23. *Decides* to remain seized of this matter.

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1 July 2015
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Human Rights Council
Twenty-ninth session
Agenda item 10
Technical assistance and capacity-building

Algeria (on behalf of the Group of African States), Croatia*, Georgia*, Honduras*, Ireland, Israel*, Italy*, Luxembourg*, Maldives, New Zealand*, Poland*, Turkey*: draft resolution

29/...
Capacity-building and technical cooperation with Côte d'Ivoire in the field of human rights

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights and relevant human rights treaties,

Recalling General Assembly resolution 60/251 of 15 March 2006,

Recalling also Council resolutions 5/1 on institution-building of the United Nations Human Rights Council and 5/2 on the code of conduct for special procedures mandate holders of the Human Rights Council, of 18 June 2007, and stressing that the mandate holder shall discharge his or her duties in accordance with those resolutions and the annexes thereto,

Recalling further Council resolutions S-14/1 of 23 December 2010 and 16/25 of 25 March 2011, on the situation of human rights in Côte d'Ivoire, and 17/21 of 17 June 2011, establishing the mandate of the Independent Expert on the situation of human rights in Côte d'Ivoire, and resolutions 20/19 of 6 July 2012 and 23/22 of 14 June 2013 renewing the mandate of the Independent Expert, as well as resolution 26/32 of 27 June 2014 establishing the mandate for capacity-building and technical cooperation with Côte d'Ivoire in the field of human rights,

Reaffirming that all States have a responsibility to promote and protect human rights and fundamental freedoms, as stated in the Charter, the Universal Declaration of Human Rights, the international covenants on human rights and other relevant human rights instruments,

* Non-member State of the Human Rights Council.

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Welcoming the establishment of a compensation fund for victims of the post-election crisis with an initial capital of 10 billion CFA francs, or approximately US$ 18 million, and the establishment of the National Commission for Reconciliation and Compensation for Victims,

Noting that the human rights situation in Côte d'Ivoire has improved significantly and that it should nevertheless be monitored, given the numerous challenges, notably the restoration of peace, national reconciliation and combating impunity,

Concerned at the continuing sporadic armed attacks on the Forces républicaines de Côte d'Ivoire in the exercise of their mandate to protect civilians,

1. *Condemns* the continuing sporadic attacks by unidentified armed individuals in Côte d'Ivoire, which are liable to thwart the joint efforts of the Ivorian people and the international community to bring security and peace to the country;

2. *Welcomes* the general stability in the security situation in Côte d'Ivoire, while recognizing the challenges that remain, as indicated in the most recent report of the Secretary-General on Côte d'Ivoire,[1] as well as the work of the Special Investigation Unit, the National Security Council and the National Programme for Social Cohesion, particularly as regards their roles in early warnings, prevention of human rights violations and reconciliation;

3. *Welcomes* the exemplary and continuing cooperation of the Government of Côte d'Ivoire with the United Nations human rights machinery and its commitment to promoting and protecting human rights, and encourages the continuation of efforts to end all human rights violations in the country, prosecute the perpetrators of such acts and help victims;

4. *Also welcomes* the progress achieved by the Government of Côte d'Ivoire in promoting respect for and the protection of human rights, notably its constructive dialogue with the members of the Human Rights Council during the universal periodic review in April 2014 and the presentation of its initial report to the Human Rights Committee[2] in March 2015;

5. *Notes with appreciation* the efforts made by the Ivorian Government to align its domestic legal framework with the Rome Statute of the International Criminal Court, particularly its positive initiative towards abolishing the death penalty, and the introduction into its domestic legal framework of international crimes such as genocide, crimes against humanity and war crimes, superior responsibility for war crimes and the non-applicability of any statute of limitations to such international crimes;

6. *Welcomes* the efforts made by Côte d'Ivoire to enhance capacity in the judicial system, notably through the renovation of courts, legislative reforms to the Criminal Code, the Code of Criminal Procedure, the Civil Code and the Code of Civil Procedure and the reopening of the assize courts, and calls on the Government of Côte d'Ivoire to strengthen human resource capacity, to ensure that legal proceedings conform to international standards for a fair trial and to prosecute all the alleged perpetrators of human rights violations, particularly those committed during the post-election crisis;

7. *Also welcomes* in that regard the renewal of the Special Investigation Unit, encourages the acceleration of the national processes of investigation and prosecution of the alleged perpetrators of the violence committed during the 2010–2011 post-election period

[1] S/2015/320.
[2] CCPR/C/CIV/1.

and calls for the full implementation of the mandate of the National Commission for Reconciliation and Compensation for Victims;

8. *Further welcomes* the continuing work in the political framework for ongoing dialogue aimed at facilitating inclusive political pluralism and notes the continued cooperation with the International Criminal Court and the adoption of new legislation, which constitute important progress in strengthening the legislative framework and in promoting and protecting human rights;

9. *Takes note* of the continuation of the trial of some members of the Forces républicaines de Côte d'Ivoire and the acceleration of the process of investigation and prosecution of the alleged perpetrators of the violence committed during the 2010–2011 post-election period;

10. *Welcomes* the results achieved by the Authority on Disarmament, Demobilization and Reintegration, which represent remarkable progress that has made it possible to consolidate security in the country;

11. *Also welcomes* the reform of the Independent Electoral Commission, which as established after a broad process of consultation with all stakeholders, and the continuation of the electoral process towards fair, free, transparent, inclusive and calm elections;

12. *Takes note* of the oral update provided by the Independent Expert at the twenty-eighth session and his first report presented during the twenty-ninth session,[3] as well as his recommendations;

13. *Applauds* the commitments made by the Ivorian Government during the various sessions of the Human Rights Council to endorse the Independent Expert's recommendations and its fruitful cooperation with the Independent Expert in the framework of his mandate;

14. *Also applauds* the efforts of the Government of Côte d'Ivoire in ratifying international and regional human rights instruments, particularly the adoption of the Act of 20 June 2014 on promoting and protecting human rights defenders and the adoption in July 2014 of the Act governing prevention, protection and punishment in the fight against HIV/AIDS, and encourages it to continue in that direction and to proceed in its efforts to bring its national legislation into conformity with the international and regional instruments it has ratified, ensuring the effective application of those instruments;

15. *Notes with satisfaction* the continued improvement in the humanitarian situation on the ground and calls on United Nations agencies and other relevant actors to continue, at the request of the country, to provide assistance to refugees and internally displaced persons, in conformity with the measures put in place by the Government, so as to encourage their safe and voluntary return to their homes;

16. *Notes* the importance set by the Ivorian authorities on combating the sexual violence suffered by women and children, notably with the adoption of a national strategy to curb the phenomenon and the efforts made to protect children, and calls on the Government to do everything possible to carry out investigations into the recurring allegations of violence against women and children;

17. *Requests* the international community to continue to support the reconstruction and reconciliation process under way in Côte d'Ivoire and to provide the assistance requested in the specific areas in which such assistance is necessary, including in

[3] A/HRC/29/49.

strengthening the capacity of the mechanisms for combating violence against women and children;

18. *Requests* the Office of the United Nations High Commissioner for Human Rights to continue to provide the technical assistance requested by the Government, to help Côte d'Ivoire to meet its human rights obligations;

19. *Calls on* the international community to support the national efforts made by Côte d'Ivoire and its institutions to strengthen the rule of law in the country, and to respond to its requests for technical assistance in the humanitarian, educational, health, economic and social spheres;

20. *Also calls on* the international community to continue to support the National Human Rights Commission, through technical assistance and capacity-building programmes, with a view to enabling it to contribute effectively to the promotion and protection of the fundamental rights of the Ivorian people, in accordance with the Paris Principles;

21. *Decides* therefore to extend the mandate on capacity-building and technical cooperation with Côte d'Ivoire in the field of human rights for a period of one year, from the twenty-ninth to the thirty-second sessions of the Human Rights Council;

22. *Requests* the Independent Expert to submit a report to the Human Rights Council at its thirty-first session and his final recommendations at its thirty-second session;

23. *Decides* to remain seized of this matter.

United Nations A/HRC/29/L.14

General Assembly

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29 June 2015

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Human Rights Council
Twenty-ninth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Albania, Andorra,* Angola,* Austria,* Belgium,* Bolivia (Plurinational State of), Bosnia and Herzegovina,* Bulgaria,* Croatia,* Cyprus,* Estonia, France, Georgia,* Greece,* Guatemala,* Honduras,* Hungary,* Ireland, Italy,* Latvia, Lithuania,* Luxembourg,* Malta,* Montenegro, Morocco, Paraguay, Peru,* Poland,* Portugal, Republic of Moldova,* Serbia,* Slovakia,* Slovenia,* Spain,* Sweden,* Thailand,* the former Yugoslav Republic of Macedonia, Ukraine,* Uruguay,* Viet Nam: draft resolution

29/... The right to education

The Human Rights Council,

Reaffirming its resolution 8/4 of 18 June 2008 and recalling all other Human Rights Council resolutions on the right to education, the most recent of which is resolution 26/17 of 26 June 2014, and the resolutions adopted by the Commission on Human Rights on the subject,

Reaffirming the human right of everyone to education, which is enshrined in, inter alia, the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women, the International Convention on the Elimination of All Forms of Racial Discrimination, the International Convention on the Rights of Migrant Workers and Members of Their Families, the Convention on the Rights of Persons with Disabilities and other relevant international instruments,

Bearing in mind General Assembly resolution 69/268 of 5 March 2015 on education for democracy,

Bearing in mind also the United Nations Declaration on Human Rights Education and Training and the World Programme for Human Rights Education,

* Non-member State of the Human Rights Council.

Welcoming the World Education Forum 2015, organized by the United Nations Educational, Scientific and Cultural Organization in collaboration with the United Nations Children's' Fund, the World Bank, the United Nations Population Fund, the United Nations Development Programme, UN-Women and the Office of the United Nations High Commissioner for Refugees, held in Incheon, Republic of Korea, from 19 to 22 May 2015, and the declaration "Education 2030: Towards inclusive and equitable quality education and lifelong learning for all", adopted at the Forum,

Deeply concerned at the ongoing problem of attacks on students, teachers, schools and universities, which impairs the realization of the right to education and causes severe and long-lasting harm to individuals and societies,

Recognizing the negative impact of conflict and crisis on the full realization of the right to education, and that more than one third of the world's 121 million school children are in conflict-affected countries, as noted in the Education For All Global Monitoring Report of the United Nations Educational, Scientific and Cultural Organization of 2015 and in the Incheon declaration;

Noting with appreciation the ongoing efforts towards strengthening protection of schools and universities against attacks, and noting the efforts that led to the Oslo Conference on Safe Schools, held on 28 and 29 May 2015;

Deeply concerned that, according to the United Nations Educational, Scientific and Cultural Organization, despite all efforts by Governments, civil society and the international community and the tremendous progress achieved since 2000, the Education for All goals, and the education-related Millennium Development Goals, have not been globally achieved,

Recognizing that the full realization of the right to education for all is an essential condition for achieving sustainable development, and in this regard the need to ensure that the right to education is central in the context of the post-2015 development agenda,

Welcoming the proposal of the Open Working Group on Sustainable Development Goals, which included a goal of ensuring inclusive and equitable quality education and promoting lifelong learning opportunities for all,

Reiterating the importance of access to new information technologies, including the Internet, to facilitate the realization of the right to education and to promote inclusive quality education,

Welcoming the steps taken at the national level to implement the right to education, including the enactment of appropriate legislation, adjudication by national courts and the development of national indicators,

Aware of the role that communications procedures can play to promote the justiciability of the right to education,

1. *Calls upon* all States to take all measures to implement Human Rights Council resolutions on the right to education with a view to ensuring the full realization of this right for all;

2. *Urges* all States to give full effect to the right to education by, inter alia, complying with their obligations to respect, protect and fulfil the right to education by all appropriate means, including by taking measures, such as:

(*a*) Putting in place a regulatory framework guided by international human rights obligations for education providers that establishes, inter alia, minimum norms and standards for the creation and operation of educational institutions;

(*b*) Expanding educational opportunities for all without discrimination, paying particular attention to girls, marginalized children and persons with disabilities, by, inter alia, recognizing the significant importance of public investment in education, to the maximum of available resources, and strengthening the engagement with communities, local actors and civil society to contribute to education as a public good;

(*c*) Ensuring that education is consistent with human rights standards and principles, including those laid down in the Universal Declaration of Human Rights and in international human rights treaties;

(*d*) Monitoring private education providers and holding accountable those whose practices have a negative impact on the enjoyment of the right to education by, inter alia, engaging with existing national human rights mechanisms, parliamentarians and civil society;

(*e*) Strengthening access to appropriate remedies and reparation for victims of violations of the right to education;

(*f*) Supporting research and awareness-raising activities to better understand the wide-ranging impact of the commercialization of education on the enjoyment of the right to education;

3. *Welcomes*:

(*a*) The work of the Special Rapporteur on the right to education, and takes note of his latest report, on protecting education from commercialization;[1]

(*b*) The work of the United Nations human rights treaty bodies and special procedures in the promotion of the right to education;

(*c*) The work undertaken by the Office of the United Nations High Commissioner for Human Rights in the promotion of the right to education at the country, regional and headquarters levels;

(*d*) The contribution of the United Nations Children's Fund, the United Nations Educational, Scientific and Cultural Organization and other relevant bodies towards attaining the goals of the Education for All agenda and education-related Millennium Development Goals;

4. *Calls upon* all relevant stakeholders to ensure that the post-2015 development agenda fosters the universal realization of the right to education, including by establishing education targets that are specific, measurable, realistic and relevant;

5. *Reaffirms* the obligations and commitments to take steps, individually and through international assistance and cooperation, especially economic and technical, to the maximum of available resources, with a view to achieving progressively the full realization of the right to education by all appropriate means, including in particular the adoption of legislative measures, and sufficient budgetary allocations to ensure inclusive, equitable and non-discriminatory quality education, and to promote learning opportunities for all;

6. *Expresses its dismay* at the aggravation of attacks, including terrorist attacks, on educational institutions as such, their students and staff, and recognizes the grave impact that such attacks have on the full realization of the right to education, in particular of women and girls, and reiterates its condemnation in the strongest terms of all such attacks;

[1] A/HRC/29/30.

7. *Urges* all States to comply with their responsibility under international law to strengthen the protection of schools and universities, as well as other educational settings, from attacks by reviewing national laws to ensure that attacks on schools and universities are criminalized, where appropriate; investigating attacks on schools and universities, and prosecuting and punishing those responsible, as appropriate; making every effort to collect reliable relevant data with respect to attacks on schools and universities; and providing assistance to victims, on a non-discriminatory basis, towards the full realization of the right to education;

8. *Recognizes* ongoing efforts and initiatives towards strengthening protection of schools and universities against attacks, and encourages States to continue to develop efforts in this regard;

9. *Encourages* all States to measure progress in the realization of the right to education, such as by developing national indicators as an important tool for the realization of the right to education and for policy formulation, impact assessment and transparency;

10. *Calls upon* States to accelerate efforts to eliminate gender-based discrimination and all forms of violence in schools and other educational settings, and to realize gender equality and the right to education for all;

11. *Acknowledges* the role that communications procedures can play to promote the justiciability of the right to education, and in this regard calls upon all States that have not yet signed and ratified the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights to consider doing so as a matter of priority;

12. *Encourages* the United Nations High Commissioner for Human Rights, the treaty bodies, the special procedures of the Human Rights Council and other relevant United Nations bodies and mechanisms, specialized agencies, funds and programmes, within their respective mandates, to continue their efforts to promote the full realization of the right to education worldwide and to enhance their cooperation in this regard, including by enhancing technical assistance to Governments;

13. *Stresses* the importance of the contribution of national human rights institutions, civil society, including non-governmental organizations, and parliamentarians to the realization of the right to education, including through cooperation with the Special Rapporteur on the right to education;

14. *Decides* to remain seized of the matter.

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1 July 2015

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Human Rights Council
Twenty-ninth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Albania, Andorra,* Angola,* Argentina, Austria,* Belgium,* Bolivia (Plurinational State of), Bosnia and Herzegovina,* Bulgaria,* Croatia,* Cyprus,* Egypt,* Equatorial Guinea,* Estonia, Finland,* France, Georgia,* Greece,* Guatemala,* Haiti,* Honduras,* Hungary,* Ireland, Italy,* Latvia, Lithuania,* Luxembourg,* Malta,* Mexico, Monaco*, Montenegro, Morocco, Norway,* Paraguay, Peru,* Philippines,* Poland,* Portugal, Qatar, Republic of Moldova,* San Marino,* Senegal,* Serbia,* Slovakia,* Slovenia,* Spain,* Sweden,* Thailand,* the former Yugoslav Republic of Macedonia, Timor-Leste,* United Kingdom of Great Britain and Northern Ireland, Ukraine,* Uruguay,* Viet Nam: draft resolution

29/... The right to education

The Human Rights Council,

Reaffirming its resolution 8/4 of 18 June 2008 and recalling all other Human Rights Council resolutions on the right to education, the most recent of which is resolution 26/17 of 26 June 2014, and the resolutions adopted by the Commission on Human Rights on the subject,

Reaffirming the human right of everyone to education, which is enshrined in, inter alia, the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women, the International Convention on the Elimination of All Forms of Racial Discrimination, the International Convention on the Rights of Migrant Workers and Members of Their Families, the Convention on the Rights of Persons with Disabilities and other relevant international instruments,

Bearing in mind General Assembly resolution 69/268 of 5 March 2015 on education for democracy,

* Non-member State of the Human Rights Council.

Please recycle

Bearing in mind also the United Nations Declaration on Human Rights Education and Training and the World Programme for Human Rights Education,

Welcoming the World Education Forum 2015, organized by the United Nations Educational, Scientific and Cultural Organization in collaboration with the United Nations Children's' Fund, the World Bank, the United Nations Population Fund, the United Nations Development Programme, UN-Women and the Office of the United Nations High Commissioner for Refugees, held in Incheon, Republic of Korea, from 19 to 22 May 2015, and the declaration "Education 2030: Towards inclusive and equitable quality education and lifelong learning for all", adopted at the Forum,

Deeply concerned at the ongoing problem of attacks on students, teachers, schools and universities, which impairs the realization of the right to education and causes severe and long-lasting harm to individuals and societies,

Recognizing the negative impact of conflict and crisis on the full realization of the right to education and that more than one third of the world's 121 million school children are in conflict-affected countries, as noted in the Education For All Global Monitoring Report of the United Nations Educational, Scientific and Cultural Organization of 2015 and in the Incheon declaration;

Noting with appreciation the ongoing efforts towards strengthening protection of schools and universities against attacks, and noting the efforts that led to the Oslo Conference on Safe Schools, held on 28 and 29 May 2015;

Deeply concerned that, according to the United Nations Educational, Scientific and Cultural Organization, despite all efforts by Governments, civil society and the international community and the tremendous progress achieved since 2000, the Education for All goals, and the education-related Millennium Development Goals, have not been globally achieved,

Recognizing that the full realization of the right to education for all is an essential condition for achieving sustainable development, and in this regard the need to ensure that the right to education is central in the context of the post-2015 development agenda,

Welcoming the proposal of the Open Working Group on Sustainable Development Goals, which included a goal of ensuring inclusive and equitable quality education and promoting lifelong learning opportunities for all,

Reiterating the importance of access to new information technologies, including the Internet, to facilitate the realization of the right to education and to promote inclusive quality education,

Welcoming the steps taken at the national level to implement the right to education, including the enactment of appropriate legislation, adjudication by national courts and the development of national indicators,

Aware of the role that communications procedures can play to promote the justiciability of the right to education,

1. *Calls upon* all States to take all measures to implement Human Rights Council resolutions on the right to education with a view to ensuring the full realization of this right for all;

2. *Urges* all States to give full effect to the right to education by, inter alia, complying with their obligations to respect, protect and fulfil the right to education by all appropriate means, including by taking measures, such as:

(*a*) Putting in place a regulatory framework guided by international human rights obligations for education providers that establishes, inter alia, minimum norms and standards for the creation and operation of educational institutions;

(*b*) Expanding educational opportunities for all without discrimination, paying particular attention to girls, marginalized children and persons with disabilities, by, inter alia, recognizing the significant importance of public investment in education, to the maximum of available resources, and strengthening the engagement with communities, local actors and civil society to contribute to education as a public good;

(*c*) Ensuring that education is consistent with human rights standards and principles, including those laid down in the Universal Declaration of Human Rights and in international human rights treaties;

(*d*) Monitoring private education providers and holding accountable those whose practices have a negative impact on the enjoyment of the right to education by, inter alia, engaging with existing national human rights mechanisms, parliamentarians and civil society;

(*e*) Strengthening access to appropriate remedies and reparation for victims of violations of the right to education;

(*f*) Supporting research and awareness-raising activities to better understand the wide-ranging impact of the commercialization of education on the enjoyment of the right to education;

3. *Welcomes*:

(*a*) The work of the Special Rapporteur on the right to education, and takes note of his latest report, on protecting education from commercialization;[1]

(*b*) The work of the United Nations human rights treaty bodies and special procedures in the promotion of the right to education;

(*c*) The work undertaken by the Office of the United Nations High Commissioner for Human Rights in the promotion of the right to education at the country, regional and headquarters levels;

(*d*) The contribution of the United Nations Children's Fund, the United Nations Educational, Scientific and Cultural Organization and other relevant bodies towards attaining the goals of the Education for All agenda and education-related Millennium Development Goals;

4. *Calls upon* all relevant stakeholders to ensure that the post-2015 development agenda fosters the universal realization of the right to education, including by establishing education targets that are specific, measurable, realistic and relevant;

5. *Reaffirms* the obligations and commitments to take steps, individually and through international assistance and cooperation, especially economic and technical, to the maximum of available resources, with a view to achieving progressively the full realization of the right to education by all appropriate means, including in particular the adoption of legislative measures;

6. *Calls upon States* to take all necessary measures, including sufficient budgetary allocations, to ensure inclusive, equitable and non-discriminatory quality education, and to promote learning opportunities for all;

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[1] A/HRC/29/30.

7. *Expresses its dismay* at the aggravation of attacks, including terrorist attacks, on educational institutions as such, their students and staff, and recognizes the grave impact that such attacks have on the full realization of the right to education, in particular of women and girls, and reiterates its condemnation in the strongest terms of all such attacks;

8. *Urges* all States to comply with their responsibilities under international law, and also urges them to strengthen the protection of schools and universities, as well as other educational settings, from attacks by reviewing national laws to ensure that attacks on schools and universities are criminalized, where appropriate; investigating attacks on schools and universities, and prosecuting and punishing those responsible, as appropriate; making every effort to collect reliable relevant data with respect to attacks on schools and universities; and providing assistance to victims, on a non-discriminatory basis, towards the full realization of the right to education;

9. *Recognizes* ongoing efforts and initiatives towards strengthening protection of schools and universities against attacks, and encourages States to continue to develop efforts in this regard;

10. *Encourages* all States to measure progress in the realization of the right to education, such as by developing national indicators as an important tool for the realization of the right to education and for policy formulation, impact assessment and transparency;

11. *Calls upon* States to accelerate efforts to eliminate gender-based discrimination and all forms of violence in schools and other educational settings, and to realize gender equality and the right to education for all;

12. *Acknowledges* the role that communications procedures can play to promote the justiciability of the right to education, and in this regard calls upon all States that have not yet signed and ratified the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights to consider doing so as a matter of priority;

13. *Encourages* the United Nations High Commissioner for Human Rights, the treaty bodies, the special procedures of the Human Rights Council and other relevant United Nations bodies and mechanisms, specialized agencies, funds and programmes, within their respective mandates, to continue their efforts to promote the full realization of the right to education worldwide and to enhance their cooperation in this regard, including by enhancing technical assistance to Governments;

14. *Stresses* the importance of the contribution of national human rights institutions, civil society, including non-governmental organizations, and parliamentarians to the realization of the right to education, including through cooperation with the Special Rapporteur on the right to education;

15. *Decides* to remain seized of the matter.

United Nations A/HRC/29/L.15

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Human Rights Council
Twenty-ninth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Andorra,*Angola,* Argentina, Australia,* Belgium,* Bosnia and Herzegovina,* Bulgaria,* Canada,* Chad,* Croatia,* Cyprus,* Estonia, Ethiopia, Finland,* Georgia,* Germany, Ghana, Greece,* Guatemala,* Honduras,* Hungary,* Iceland,* Ireland, Italy,* Latvia, Liberia,* Liechtenstein,* Lithuania,* Luxembourg,* Maldives, Montenegro, Namibia, Netherlands, New Zealand,* Norway,* Panama,* Paraguay, Peru,* Poland,* Portugal, Republic of Moldova,* Romania,* Serbia,* Sierra Leone, Slovakia,* Slovenia,* Spain,* Switzerland,* Thailand,* the former Yugoslav Republic of Macedonia, Ukraine,* United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay,* Viet Nam, Zambia:* draft resolution

29/... Strengthening efforts to prevent and eliminate child, early and forced marriage

The Human Rights Council,

Guided by the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, as well as other relevant human rights instruments, including the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women and the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery,

Reaffirming its resolution 24/23 of 27 September 2013 and General Assembly resolution 69/156 of 18 December 2014,

Recalling the commitment to the full and effective implementation of and follow-up to all other relevant resolutions of the Human Rights Council, the General Assembly, the Economic and Social Council and their subsidiary bodies,

Reaffirming the Vienna Declaration and Programme of Action, as well as the Programme of Action of the International Conference on Population and Development, the

* Non-member State of the Human Rights Council.

Beijing Declaration and Platform for Action and the outcome documents of their review conferences,

Acknowledging the relevance and importance of regional instruments and mechanisms in the prevention and elimination of child, early and forced marriage, including the African Charter on Human and Peoples' Rights and the Optional Protocols thereto, the African Commission on Human and Peoples' Rights, the African Charter on the Rights and Welfare of the Child, the Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women (Convention of Belém do Pará) and the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention),

Welcoming regional initiatives to prevent and eliminate child, early and forced marriage, such as the Campaign to End Child Marriage in Africa of the African Union, the Regional Action Plan to End Child Marriage in South Asia and the Kathmandu Call for Action to End Child Marriage in South Asia,

Welcoming also the report of the Office of the United Nations High Commissioner for Human Rights on preventing and eliminating child, early and forced marriage,[1] and taking note of its summary report on the panel discussion on preventing and eliminating child, early and forced marriage, held during the twenty-sixth session,[2] and the summary report of the panel discussion held by the General Assembly on 5 September 2014, during its sixty-eighth session,

Taking note of joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child on harmful practices[3],

Recognizing that child, early and forced marriage is a harmful practice that violates, abuses and impairs human rights and is linked to and perpetuates other harmful practices and human rights violations and that such violations have a disproportionately negative impact on women and girls, and underscoring the human rights obligations and commitments of States to promote and protect the human rights and fundamental freedoms of women and girls and to prevent and eliminate the practice of child, early and forced marriage,

Bearing in mind that, according to the United Nations Children's Fund, approximately 15 million girls are married every year before the age of 18, and more than 700 million women and girls alive today were married before their eighteenth birthday,

Recognizing that child, early and forced marriage constitutes a serious threat to multiple aspects of the physical and psychological health of women and girls, including but not limited to their sexual and reproductive health, significantly increasing the risk of early, frequent and unintended pregnancy, maternal and newborn mortality and morbidity, obstetric fistula and sexually transmitted infections, including HIV/AIDS, as well as increasing vulnerability to all forms of violence, and that every girl and woman at risk of or affected by these practices must have equal access to quality services such as education, counselling, shelter and other social services, psychological, sexual and reproductive health-care services and medical care,

Recognizing also that child, early and forced marriage is itself a barrier to sustainable development and contributes to perpetuating the cycle of poverty and that the

[1] A/HRC/26/22 and Corr.1.
[2] A/HRC/27/34.
[3] CEDAW/C/GC/31-CRC/C/GC/18.

risk of child, early and forced marriage is also highly exacerbated in conflict and humanitarian crisis situations,

Deeply concerned by the impact of deep-rooted gender inequalities, norms and stereotypes and of harmful practices, perceptions and customs that are obstacles to the full enjoyment of human rights, in particular of women and girls, and are among the primary causes of child, early and forced marriage,

Deeply concerned also that poverty and lack of education are also among the drivers of the practice of child, early and forced marriage, and recalling the fact that child, early and forced marriage is a significant obstacle to access to and/or completion of women's and girls' education,

Recognizing that child, early and forced marriage remains an impediment not only to the economic, legal, health and social status of women and girls but also to the development of society as a whole, and that the empowerment of and investment in women and girls, the meaningful participation of girls in all decisions that affect them, and women's full, equal and effective participation at all levels of decision-making are a key factor in breaking the cycle of gender inequality and discrimination, violence and poverty and are critical for, inter alia, sustainable development, peace, security, democracy and inclusive economic growth,

Recognizing also that the complex and challenging nature of child, early and forced marriage necessitates the collective efforts of Governments, lawmakers, judicial authorities, law enforcement officials, traditional and religious leaders, civil society, the media, the private sector and other relevant stakeholders to address the root causes of this practice that exists in different economic, social and cultural settings,

Recognizing further the need for national action plans, strategies and policies to end child, early and forced marriage, and coordination mechanisms and multi-sectoral interventions that aim to prevent and eliminate the practice of child, early and forced marriage, including through national comprehensive strategies to prevent and respond to all forms of violence against children and women,

Recognizing that birth registration, and marriage, divorce and death registration, are part of a comprehensive civil registration system that facilitates the development of vital statistics and the effective planning and implementation of programmes and policies intended to promote better governance and to achieve internationally agreed development goals, and that the absence of compulsory registration of customary and religious marriages is a major stumbling block for the implementation of existing legislation and other initiatives to prevent and eliminate child, early and forced marriage,

Recognizing also that awareness-raising on the harmful consequences of child, early and forced marriage, including among men and boys, often contributes to promoting social norms that support efforts by girls and their families to delay the age of marriage,

1. *Recognizes* that child, early and forced marriage constitutes a violation, abuse or impairment of human rights and a harmful practice that prevents individuals from living their lives free from all forms of violence, and that it has wide-ranging and adverse consequences for the enjoyment of human rights, such as the right to education and the right to the highest attainable standard of health, including sexual and reproductive health;

2. *Calls upon* States, with the participation of relevant stakeholders, including girls, women, religious and community leaders, civil society and human rights groups, men and boys, and youth organizations to develop and implement holistic, comprehensive and coordinated responses, strategies and policies to prevent and eliminate child, early and forced marriage, and to support already married girls, adolescents and women, including through the strengthening of child protection systems, protection mechanisms, such as safe

shelters, access to justice and legal remedies and the sharing of best practices across borders in full compliance with international human rights obligations and commitments;

3. *Urges* States to enact, enforce, harmonize and uphold laws and policies aimed at preventing and ending child, early and forced marriage, protecting those at risk and supporting already married women and girls, and to ensure that marriage is entered into only with the informed, free and full consent of the intending spouses and that women have equality with men in all matters pertaining to marriage, divorce, child custody and the economic consequences of marriage and its dissolution;

4. *Calls upon* States to exercise due diligence in investigating, prosecuting and punishing violence against all children, paying particular attention to child- and gender-sensitive approaches, and to provide protection and universal access to comprehensive social, physical, mental and reproductive health, and legal services and counselling for all victims and survivors and to ensure their full recovery and reintegration into society;

5. *Urges* States to remove any provisions that may enable, justify or lead to child, early or forced marriage, including provisions that enable perpetrators of rape, sexual abuse or abduction to escape prosecution and punishment by marrying their victims, in particular by repealing or amending relevant laws;

6. *Also urges* States to ensure access to justice and accountability mechanisms and remedies for the effective implementation and enforcement of laws aimed at preventing and eliminating child, early and forced marriage, including by informing women and girls about their rights under relevant laws, training law enforcement officers and monitoring how they handle cases of child, early and forced marriage, improving legal infrastructure and removing all barriers to access to legal counselling, assistance and remedies;

7. *Further urges* States to strengthen their efforts to ensure free birth registration, including free or low-fee late birth registration, by means of universal, accessible, simple, expeditious and effective registration procedures, without discrimination of any kind, and marriage, divorce and death registration as part of the civil registration and vital statistics systems, especially for individuals living in rural and remote areas, including by identifying and removing all physical, administrative, procedural and any other barriers that impede access to registration and by providing, where lacking, mechanisms for the registration of customary and religious marriages;

8. *Affirms* the need for States to improve gender disaggregated data collection, research and dissemination of evidence-based and good practices relating to the prevention and elimination of child, early and forced marriage, as well as the use of quantitative and qualitative data on harmful practices, disaggregated by sex, age, disability, geographical location, socioeconomic status, education level and other key factors, and to strengthen monitoring and impact assessment of existing policies and programmes as a means of strengthening them, ensuring their effectiveness and implementation, including in the context of the post-2015 development agenda;

9. *Calls upon* States to promote the meaningful participation and active consultation of children and young people in all issues affecting them, and to create awareness about their rights, including the negative impact of child, early and forced marriage, through safe spaces, forums and support networks that provide girls and boys with information, life skills training and the opportunities to be empowered and become agents of change within their communities;

10. *Urges* States to promote awareness-raising and to engage in dialogue within communities on the health implications of child, early and forced marriage, and to improve equal access to health-care facilities and sexual and reproductive health information, education and services, including modern forms of contraception;

11. *Calls upon* States to promote and protect the rights of women and girls to education through enhanced emphasis on quality education, including human rights education and training, and catch-up and literacy education for those who have not received formal education, including in remote areas, while recognizing that education is one of the most effective ways to prevent and end child, early and forced marriage and to help already married women and men, girls and boys to make more informed choices about their lives;

12. *Urges* Governments to promote and protect the human rights of all women and girls, including their right to have control over and decide freely and responsibly on matters related to their sexuality, including sexual and reproductive health, free of coercion, discrimination and violence, and to adopt and accelerate the implementation of laws, policies and programmes that protect and enable the enjoyment of all human rights and fundamental freedoms, including reproductive rights, in accordance with the Programme of Action of the International Conference on Population and Development, the Beijing Platform for Action and the outcome documents of their review conferences;

13. *Calls upon* States, with the support of humanitarian partners, and in full collaboration with concerned communities and other stakeholders, to strengthen monitoring and interventions to prevent and eliminate child, early and forced marriage in humanitarian settings and fragile situations, including by integrating and harmonizing such interventions into efforts focused on conflict prevention, protection of civilians, and access to information and services;

14. *Urges* States to prevent and eliminate child, early and forced marriage by improving safety of girls at, and on the way to and from school, including by establishing a safe and violence-free environment by improving infrastructure, such as transportation, and providing separate and adequate sanitation facilities, improved lighting, playgrounds and safe environments, and adopting policies to prohibit, prevent and address violence against children, especially girls, including sexual harassment and bullying and other forms of violence, through measures such as conducting violence prevention activities in schools and communities and establishing and enforcing penalties for violence against girls;

15. *Calls upon* States and encourages other stakeholders to address social norms, gender stereotypes and harmful practices that contribute to the acceptance and continuation of the practice of child, early and forced marriage, including by raising awareness of its harm to the victims and the cost to society at large and by providing opportunities for discussion among others, within communities, including with the involvement of unmarried girls and already married girls, adolescents and women, religious, tribal and community leaders, men and boys, and families on the benefits of delaying marriage and ensuring that girls receive education;

16. *Calls upon* States and the international community to create an environment in which the well-being of women and girls is ensured by, inter alia, cooperating, supporting and participating in efforts for the eradication of poverty, and reaffirms that investment in women and girls and the respect, protection and fulfilment of their rights are among the most effective ways to end the harmful practice of child, early and forced marriage;

17. *Urges* Governments, with the collaboration of relevant stakeholders, to tackle poverty and lack of economic opportunities for women and girls as drivers of child, early and forced marriage, including by ensuring women and girls inheritance and property rights, equal access to social protection, including direct financial support and microcredit for girls, families and guardians to encourage girls to continue their education; to develop livelihood opportunities and life skills education; and to promote women's equal access to full and productive employment and decent work, as well as equal political participation and rights to inherit, own and control land and productive resources;

18. *Also urges* Governments to take measures to support girls and women who have been subjected to child, early and forced marriage, and calls upon States and all relevant actors to strengthen, inter alia, the development, enactment, implementation and monitoring of relevant legislation and protection mechanisms, such as safe shelters, counselling and other support services, as well as empowerment programmes focusing on, inter alia, education, health, livelihood, autonomy and decision-making;

19. *Welcomes* the inclusion of a target on eliminating all harmful practices, such as child, early and forced marriage and female genital mutilation, in the outcome document of the Open Working Group on Sustainable Development Goals, recognizes child, early and forced marriage as a barrier to development and to the full realization of women's and girls' human rights, and recognizes the need to give due consideration to the inclusion of the target in the post-2015 development agenda in order to help to ensure progress towards the elimination of child, early and forced marriage;

20. *Encourages* relevant United Nations entities, regional and subregional organizations, civil society and other relevant actors and human rights mechanisms to continue to collaborate with and support Member States in developing and implementing strategies and policies at the national, regional and international levels to prevent and eliminate child, early and forced marriage, and to support already married girls, adolescents and women, including within the framework of relevant national action plans;

21. *Encourages* States and all relevant stakeholders to ensure that child, early and forced marriage is given due attention in the work of the Human Rights Council, including relevant Council processes, debates and mechanisms, including the universal periodic review;

22. *Invites* relevant special procedures of the Human Rights Council and relevant treaty bodies to give due consideration to the issue of child, early and forced marriage within their respective mandates;

23. *Requests* the United Nations High Commissioner for Human Rights to organize an expert workshop before the thirty-fourth session of the Human Rights Council to review and discuss the impact of existing strategies and initiatives to address child, early and forced marriages and to make recommendations for further action by States and the international community towards the full implementation of human rights obligations in this regard;

24. *Also requests* the High Commissioner to prepare a report on the deliberations held during the workshop and to submit it to the Human Rights Council at its thirty-fifth session;

25. *Decides* to continue its consideration of the issue of strengthening efforts to prevent and eliminate child, early and forced marriage at its thirty-fifth session.

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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Albania, Andorra,* Argentina, Australia,* Belgium,* Benin,* Bulgaria,* Burkina Faso,* Canada,* Colombia,* Congo, Côte d'Ivoire, Croatia,* Cyprus,* Czech Republic,* Denmark,* Estonia, Finland,* France, Georgia,* Germany, Greece,* Guatemala,* Haiti,* Honduras,* Iceland,* Ireland, Israel,* Italy,* Japan, Latvia, Liberia,* Liechtenstein,* Luxembourg,* Mali,* Montenegro, Netherlands, New Zealand,* Norway,* Paraguay, Peru,* Poland,* Portugal, Republic of Moldova,* Rwanda,* Serbia,* Slovakia,* Slovenia,* Spain,* Sweden,* Switzerland,* Thailand,* the former Yugoslav Republic of Macedonia, Togo,* Ukraine,* Uruguay,* United Kingdom of Great Britain and Northern Ireland, Viet Nam: draft resolution

29/... Accelerating efforts to eliminate all forms of violence against women: eliminating domestic violence

The Human Rights Council,

Reaffirming the purposes and principles of the Charter of the United Nations and the Universal Declaration of Human Rights,

Reaffirming also the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities, and noting the relevant recommendations of the Committee on the Elimination of Discrimination against Women,

Reaffirming further the Vienna Declaration and Programme of Action, the Declaration on the Elimination of Violence against Women, the Beijing Declaration and Platform for Action and the Programme of Action of the International Conference on Population and Development, and the outcomes of their review conferences,

Recalling all relevant resolutions of the Human Rights Council, as well as those of the Commission on Human Rights, on the elimination of all forms of violence against women, and recalling also relevant resolutions of the General Assembly, including its resolution 69/147 of 18 December 2014 on the intensification of efforts to eliminate all

* Non-member State of the Human Rights Council.

forms of violence against women and girls, and those of the Security Council, and relevant resolutions and agreed conclusions of the Commission on the Status of Women,

Recalling also the political declaration adopted by the Commission on the Status of Women at its fifty-ninth session on the twentieth anniversary of the Beijing Declaration and Platform for Action, in which States pledged to take further concrete action to ensure the full, effective and accelerated implementation of the Beijing Platform for Action, and the outcome document of the twenty-third special session of the General Assembly,

Taking note of the resolution, adopted by the World Health Assembly at its sixty-seventh session, on strengthening the role of the health system in addressing violence, in particular against women and girls, and against children, and noting the recent work on the development of a global plan of action to strengthen the role of the health system within a national multisectoral response to address interpersonal violence, in particular against women and girls and against children, building on existing relevant work of the World Health Organization,

Acknowledging the important and useful role that can be played by regional conventions, instruments and initiatives to combat violence against women and girls,

Recognizing that violence against women and girls is rooted in historical and structural inequality in power relations between women and men, and that all forms of violence against women and girls seriously violate and impair or nullify their enjoyment of all human rights and fundamental freedoms and constitute a major impediment to women's full, equal and effective participation in society, the economy and political decision-making,

Gravely concerned that domestic violence, including intimate partner violence, remains the most prevalent form of violence affecting women of all social strata across the world, and emphasizing that such violence is a violation, abuse or impairment of the enjoyment of their human rights and, as such, is unacceptable,

Recognizing that violence against women and girls, including in the domestic sphere, is a form of discrimination that seriously inhibits women's ability to enjoy rights and freedoms on a basis of equality with men,

Recognizing also that violence against women and girls, including domestic violence, is, inter alia, a serious violation or abuse of human rights, a societal problem and a manifestation of unequal power relations, and is intrinsically linked with gender stereotypes that underlie and perpetuate such violence, while stressing that women's empowerment, including women's economic and political empowerment, full and equal access to and control over land and resources, and participation in decision-making processes, is essential for addressing the underlying causes of violence against women and girls,

Recognizing further the serious immediate and long-term implications for health, including psychological, physical, sexual and reproductive health, and the enjoyment of all human rights, that domestic violence against women of all ages can present for individuals and families,

Recognizing the vulnerability of those who suffer multiple and intersecting forms of discrimination, such as older women, indigenous women, migrant women and women with disabilities, and the particular risk of violence they face, and stressing the urgent need to address violence and discrimination against them,

Underscoring the fact that shame, stigma, fear of reprisals and negative economic consequences, such as loss of livelihood or reduced household income, prevent many women and girls from leaving dangerous relationships, reporting or acting as witnesses in cases of domestic violence, and seeking redress and justice for these crimes,

Noting with deep concern that children can also be victims of domestic violence, including as witnesses,

Recognizing that child, early and forced marriage places individuals, in particular the girl child, at risk of being exposed to and encountering various forms of discrimination and violence throughout their lives, including domestic violence,

Recognizing also that the risk and prevalence of violence against women and girls, including domestic violence, are exacerbated in armed conflict and humanitarian crisis situations,

1. *Stresses* that "violence against women" means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women of any age and girls, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life, and also notes the economic and social harm caused by such violence;

2. *Also stresses* that domestic violence can take many different forms, including physical, psychological and sexual violence, economic deprivation and isolation, and neglect, occurs within the family or domestic unit, and generally between individuals who are related through blood or intimacy;

3. *Strongly condemns* all forms of violence against women of all ages, including domestic violence, while recognizing that it is an impediment to achieving gender equality and to the full realization of all human rights of women, while expressing concern that domestic violence is the most prevalent and least visible forms of violence against women and girls and that its consequences are long lasting and profound and affect many areas in the lives of victims;

4. *Recognizes* that violence against women, including domestic violence, can take the form of an isolated act or pattern of abusive behaviour that may occur over a period of time, which as a pattern constitute violence against women, and can include acts such as cyberbullying and cyberstalking;

5. *Urges* States to strongly condemn all forms of violence against women and girls, and to refrain from invoking any custom, tradition or religious consideration to avoid their obligations with respect to its elimination, including harmful practices, such as child, early and forced marriage and female genital mutilation, as set out in the Declaration on the Elimination of Violence against Women;

6. *Underscores* that domestic violence is of public concern and that States have the primary responsibility for protecting and promoting the human rights of women and girls facing violence, including those facing domestic violence;

7. *Urges* States to support initiatives aimed at promoting gender equality and at preventing, responding to, and protecting women and girls from, domestic violence, undertaken by, inter alia, relevant women's and men's organizations, international and non-governmental organizations, the private sector, media, faith and community groups, religious leaders, parliamentarians, human rights defenders, including women human rights defenders, and other relevant civil society actors, as part of their efforts to develop targeted and accessible programmes and policies;

8. *Calls upon* States to take effective action to prevent domestic violence, including by:

(*a*) Publicly condemning, addressing and penalizing the perpetrators of offences involving physical, sexual and psychological violence and economic deprivation occurring in the family, which encompasses but is not limited to battering, sexual abuse of women and girls in the household, incest, dowry-related violence, marital rape, intimate partner

violence, femicide, female infanticide, crimes committed against women and girls in the name of so-called "honour", crimes committed in the name of passion, practices harmful to women and girls such as child, early and forced marriage, and female genital mutilation;

(*b*) Preventing violations and taking steps to prevent abuses of all human rights of women and girls, devoting particular attention to abolishing practices and legislation that discriminate against women and girls, eliminating prejudices, harmful practices and gender stereotypes and raising awareness of the unacceptability of violence against women and girls, including domestic violence, at all levels;

(*c*) Accelerating efforts to develop, review and strengthen inclusive policies, including by allocating adequate resources to address the structural and underlying causes of domestic violence against women and girls, to overcome gender stereotypes, to encourage media to examine the impact of gender-role stereotypes, including those perpetuated by commercial advertisements that foster gender-based violence and inequalities, to promote zero tolerance for such violence and to remove the stigma of being a victim and survivor of violence, thus creating an enabling and accessible environment where women and girls can easily report incidents of violence and make use of the services available, including protection and assistance programmes;

(*d*) Ensuring access to justice and effective remedies for domestic violence, to ensure accountability of perpetrators as a deterrent for domestic violence against women and girls;

(*e*) Promoting effective preventive measures at an early stage with women, families and children exposed to or at risk of domestic violence, such as parenting education and programmes and child counselling services, to reduce the risk of possible perpetration of violence or re-victimization;

(*f*) Emphasizing the important role that men and boys can play in preventing and eliminating violence against women and girls, and further developing and implementing measures that reinforce non-violent actions, attitudes and values, and encourage men and boys to take an active part and become strategic partners and allies in the prevention and elimination of all forms of violence and discrimination against women and girls, and the importance of effectively responding to violence against boys as well, in order to break intergenerational cycles of violence;

(*g*) Promoting primary prevention efforts with a coordinated range of mutually reinforcing strategies to drive a change in the culture, attitudes and behaviour that underpin violence against women and girls;

(*h*) Taking measures to empower women by, inter alia, strengthening their economic autonomy and ensuring their full and equal participation in society and in decision-making processes by adopting and implementing social and economic policies that guarantee women full and equal access to quality education, including comprehensive sexuality education,[1] and training and affordable and adequate public and social services, as well as full and equal access to financial resources and decent work, and full and equal

[1] Sexuality education is defined as an age-appropriate, culturally relevant approach to teaching about sex and relationships by providing scientifically accurate, realistic and non-judgemental information. Sexuality education provides opportunities to explore one's own values and attitudes and to build decision-making, communication and risk-reduction skills about many aspects of sexuality. United Nations Educational, Scientific and Cultural Organization, *International Technical Guidance on Sexuality Education: an evidence-informed approach for schools, teachers and health educators*, Paris, 2009, p. 2.

rights to own and have access to and control over land and other property, and guaranteeing women's and girls' inheritance rights;

9. *Also calls upon* States to take effective action to respond to domestic violence, including by:

(*a*) Adopting, strengthening and implementing legislation that prohibits such violence, including partner violence and marital rape, prescribes punitive measures and establishes adequate legal protection against such violence, including victim and witness protection from reprisals for bringing complaints or giving evidence;

(*b*) Ensuring women's and girls' unimpeded access to justice, effective legal assistance and information regarding their rights without discrimination so that they have access to just and effective remedies for the harm that they have suffered, including through, where necessary, the adoption of national legislation;

(*c*) Exercising due diligence to prevent, investigate and penalize all forms of violence against women and girls and to ensure accountability for acts of domestic violence, including by providing safe and appropriate complaint channels;

(*d*) Creating, developing and implementing a set of policies, and supporting the establishment of rehabilitative services, in order to encourage and bring changes in the attitudes and behaviour of perpetrators of violence against women and girls, and to reduce the likelihood of reoffending, including in cases of domestic violence, rape and harassment, as well as monitoring and assessing their impact and effect;

(*e*) Establishing comprehensive, coordinated, interdisciplinary, accessible and sustained multisectoral services, programmes and responses at all levels to provide immediate protection and support through which shelter and legal, health and psychological counselling and other services are available to all women facing or subjected to violence, and promoting collaboration and coordination among agencies;

(*f*) Providing training to relevant public officials in law enforcement, the administration of justice, and education and health sectors to be aware of, and responsive, sensitive and diligent with regard to the nature, incidence, underlying causes and short- and long-term impact of domestic violence;

10. *Urges* States to take effective action to protect victims of domestic violence, including by:

(*a*) Providing relevant, comprehensive victim-centered legal protections to support and assist victims of domestic violence within the framework of their national legal systems, including, as appropriate, legislative or other measures throughout the criminal and civil justice system, such as specialized courts, protection orders, the use of threat assessments and risk analysis tools, and provisions to address their special needs as witnesses, at all stages of investigations and judicial proceedings;

(*b*) Establishing comprehensive, coordinated, interdisciplinary, accessible and sustained multisectoral services, programmes and responses at all levels for all victims and survivors of all forms of violence against women and girls, including domestic violence, that are adequately resourced and include effective and coordinated action by, as appropriate, police and the justice sector, legal aid services, health-care services, including for sexual and reproductive health, and medical and psychological assistance and counselling services, as well as State and independent women's shelters and counselling centres, 24-hour hotlines, social aid services, one-stop crisis centres, child aid services, skills training and public housing services that would provide easy to reach and safe assistance for women and children, including women and girls with disabilities, as well as assistance, protection and support through access to long-term accommodation;

(*c*) Fulfilling their obligations at all levels to promote and protect all human rights and fundamental freedoms, including those of women and girls, and exercising due diligence to prevent, investigate, prosecute and hold to account perpetrators, and to eliminate impunity and provide for access to appropriate remedies for victims and survivors, and should ensure the protection and empowerment of women and girls, including through adequate enforcement by police and the judiciary of civil remedies, orders of protection and criminal sanctions;

(*d*) Establishing and/or strengthening police and health workers' response protocols and procedures to ensure that all appropriate actions are taken to protect victims of domestic violence and to prevent further acts of domestic violence;

11. *Also urges* States to ensure the promotion and protection of the human rights of all women and their sexual and reproductive health and reproductive rights, in accordance with the Programme of Action of the International Conference on Population and Development, the Beijing Platform for Action and the outcome documents of their review conferences, including through the development and enforcement of policies and legal frameworks and the strengthening of health systems that make universally accessible and available quality, comprehensive sexual and reproductive health-care services, commodities, information and education, including, inter alia, safe and effective methods of modern contraception, emergency contraception, prevention programmes for adolescent pregnancy, maternal health care, such as skilled birth attendance and emergency obstetric care, which will reduce obstetric fistula and other complications of pregnancy and delivery, safe abortion where such services are permitted by national law, and prevention and treatment of reproductive tract infections, sexually transmitted infections, HIV and reproductive cancers, recognizing that human rights include the right to have control over and decide freely and responsibly on matters related to their sexuality, including sexual and reproductive health, free from coercion, discrimination and violence;

12. *Encourages* States to improve the collection, harmonization and use of data disaggregated by sex, administrative data, including, where appropriate, from the police, the health sector and the judiciary, on incidents of violence against women and girls, including domestic violence, such as data on the relationship between the perpetrator and victim and geographic location, ensuring that confidentiality and ethical and safety considerations are taken into account in the process of data collection, and improving the effectiveness of the services and programmes provided and protecting the safety and security of the victim;

13. *Reaffirms* the importance of a stand-alone goal on achieving gender equality and the empowerment of women and girls, including a target on eliminating all forms of violence against all women and girls in the public and private spheres by 2030, and looks forward to the integration of a gender perspective into the post-2015 development agenda and the mainstreaming of gender equality and women's empowerment into all sustainable development goals, as reflected in the report of the Open Working Group on Sustainable Development Goals,[2] which is the main basis for integrating sustainable development goals into the post-2015 development agenda, while recognizing that other inputs will also be considered;

14. *Welcomes* the mandate and the work of the Special Rapporteur on violence against women, its causes and consequences, and takes note of the thematic report on regional initiatives to combat violence against women;[3]

[2] See General Assembly resolution 68/309, and A/68/970 and Corr.1.

[3] A/HRC/29/27.

15. *Notes* that, in its report,[4] the Working Group on the issue of discrimination against women in law and in practice underlines the pervasiveness of domestic violence and the negative impact it has on women and on society as a whole;

16. *Welcomes* the panel discussion on domestic violence against women and girls, held during the annual full-day discussion on women's human rights at the twenty-ninth session of the Human Rights Council, and requests the Office of the United Nations High Commissioner for Human Rights to present a summary report on the discussion to the Council at its thirtieth session;

17. *Decides* to continue its consideration of the issue of the prevention and elimination of all forms of violence against women and girls, its causes and consequences as a matter of high priority and in conformity with its annual programme of work.

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[4] A/HRC/29/40.

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General Assembly

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Human Rights Council
Twenty-ninth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Albania, Andorra,* Angola,* Argentina, Australia,* Belgium,* Benin,* Bulgaria,* Burkina Faso,* Canada,* Chile,* Colombia,* Congo, Côte d'Ivoire, Croatia,* Cyprus,* Czech Republic,* Denmark,* Estonia, Finland,* France, Fiji,* Georgia,* Germany, Greece,* Guatemala,* Haiti,* Honduras,* Iceland,* Ireland, Israel,* Italy,* Jamaica,* Japan, Latvia, Liberia,* Liechtenstein,* Luxembourg,* Mali,* Malta,* Monaco,* Montenegro, Namibia, Netherlands, New Zealand,* Norway,* Panama,* Paraguay, Peru,* Philippines,* Poland,* Portugal, Republic of Korea, Republic of Moldova,* Rwanda,* San Marino,* Serbia,* Slovakia,* Slovenia,* Spain,* Sweden,* Switzerland,* Thailand,* the former Yugoslav Republic of Macedonia, Togo,* Ukraine,* Uruguay,* United Kingdom of Great Britain and Northern Ireland, United States of America, Viet Nam: draft resolution

29/... Accelerating efforts to eliminate all forms of violence against women: eliminating domestic violence

The Human Rights Council,

Reaffirming the purposes and principles of the Charter of the United Nations and the Universal Declaration of Human Rights,

Reaffirming also the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities, and noting the relevant recommendations of the Committee on the Elimination of Discrimination against Women,

Reaffirming further the Vienna Declaration and Programme of Action, the Declaration on the Elimination of Violence against Women, the Beijing Declaration and Platform for Action and the Programme of Action of the International Conference on Population and Development, and the outcomes of their review conferences,

Recalling all relevant resolutions of the Human Rights Council, as well as those of the Commission on Human Rights, on the elimination of all forms of violence against

* Non-member State of the Human Rights Council.

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women, and recalling also relevant resolutions of the General Assembly, including its resolution 69/147 of 18 December 2014 on the intensification of efforts to eliminate all forms of violence against women and girls, and those of the Security Council, and relevant resolutions and agreed conclusions of the Commission on the Status of Women,

Recalling also the political declaration a' pted by the Commission on the Status of Women at its fifty-ninth session on the twentieth anniversary of the Beijing Declaration and Platform for Action, in which States pledged to take further concrete action to ensure the full, effective and accelerated implementation of the Beijing Platform for Action, and the outcome document of the twenty-third special session of the General Assembly,

Taking note of the resolution, adopted by the World Health Assembly at its sixty-seventh session, on strengthening the role of the health system in addressing violence, in particular against women and girls, and against children, and noting the recent work on the development of a global plan of action to strengthen the role of the health system within a national multisectoral response to address interpersonal violence, in particular against women and girls and against children, building on existing relevant work of the World Health Organization,

Acknowledging the important and useful role that can be played by regional conventions, instruments and initiatives to combat violence against women and girls,

Recognizing that violence against women and girls is rooted in historical and structural inequality in power relations between women and men, and that all forms of violence against women and girls seriously violate and impair or nullify their enjoyment of all human rights and fundamental freedoms and constitute a major impediment to women's full, equal and effective participation in society, the economy and political decision-making,

Gravely concerned that domestic violence, including intimate partner violence, remains the most prevalent form of violence affecting women of all social strata across the world, and emphasizing that such violence is a violation, abuse or impairment of the enjoyment of their human rights and, as such, is unacceptable,

Recognizing that violence against women and girls, including in the domestic sphere, is a form of discrimination that seriously inhibits women's ability to enjoy rights and freedoms on a basis of equality with men,

Recognizing also that violence against women and girls, including domestic violence, is, inter alia, a serious violation or abuse of human rights, a societal problem and a manifestation of unequal power relations, and is intrinsically linked with gender stereotypes that underlie and perpetuate such violence, while stressing that women's empowerment, including women's economic and political empowerment, full and equal access to and control over land and resources, and participation in decision-making processes, is essential for addressing the underlying causes of violence against women and girls,

Recognizing further the serious immediate and long-term implications for health, including psychological, physical, sexual and reproductive health, and the enjoyment of all human rights, that domestic violence against women of all ages can present for individuals and families,

Recognizing the vulnerability of those who suffer multiple and intersecting forms of discrimination, such as older women, indigenous women, migrant women and women with disabilities, and the particular risk of violence they face, and stressing the urgent need to address violence and discrimination against them,

Underscoring the fact that sha.ne, stigma, fear of reprisals and negative economic consequences, such as loss of livelihood or reduced household income, prevent many

women and girls from leaving dangerous relationships, reporting or acting as witnesses in cases of domestic violence, and seeking redress and justice for these crimes,

Noting with deep concern that children can also be victims of domestic violence, including as witnesses,

Recognizing that child, early and forced marriage places individuals, in particular the girl child, at risk of being exposed to and encountering various forms of discrimination and violence throughout their lives, including domestic violence,

Recognizing also that the risk and prevalence of violence against women and girls, including domestic violence, are exacerbated in armed conflict and humanitarian crisis situations,

1. *Stresses* that "violence against women" means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women of any age and girls, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life, and also notes the economic and social harm caused by such violence;

2. *Also stresses* that domestic violence can take many different forms, including physical, psychological and sexual violence, economic deprivation and isolation, and neglect, occurs within the family or domestic unit, and generally between individuals who are related through blood or intimacy;

3. *Strongly condemns* all forms of violence against women of all ages, including domestic violence, while recognizing that it is an impediment to achieving gender equality and to the full realization of all human rights of women, while expressing concern that domestic violence is the most prevalent and least visible forms of violence against women and girls and that its consequences are long lasting and profound and affect many areas in the lives of victims;

4. *Recognizes* that violence against women, including domestic violence, can take the form of an isolated act or pattern of abusive behaviour that may occur over a period of time, which as a pattern constitute violence against women, and can include acts such as cyberbullying and cyberstalking;

5. *Urges* States to strongly condemn all forms of violence against women and girls, and to refrain from invoking any custom, tradition or religious consideration to avoid their obligations with respect to its elimination, including harmful practices, such as child, early and forced marriage and female genital mutilation, as set out in the Declaration on the Elimination of Violence against Women;

6. *Underscores* that domestic violence is of public concern and that States have the primary responsibility for protecting and promoting the human rights of women and girls facing violence, including those facing domestic violence;

7. *Urges* States to support initiatives aimed at promoting gender equality and at preventing, responding to, and protecting women and girls from, domestic violence, undertaken by, inter alia, relevant women's and men's organizations, international and non-governmental organizations, the private sector, media, faith and community groups, religious leaders, parliamentarians, human rights defenders, including women human rights defenders, and other relevant civil society actors, as part of their efforts to develop targeted and accessible programmes and policies;

8. *Calls upon* States to take effective action to prevent domestic violence, including by:

(*a*) Publicly condemning, addressing and penalizing the perpetrators of offences involving physical, sexual and psychological violence and economic deprivation occurring in the family, which encompasses but is not limited to battering, sexual abuse of women and girls in the household, incest, dowry-related violence, marital rape, partner violence, femicide, female infanticide, crimes committed against women and girls in the name of so-called "honour", crimes committed in the name of passion, practices harmful to women and girls such as child, early and forced marriage, and female genital mutilation;

(*b*) Preventing violations and taking steps to prevent abuses of all human rights of women and girls, devoting particular attention to abolishing practices and legislation that discriminate against women and girls, eliminating prejudices, harmful practices and gender stereotypes and raising awareness of the unacceptability of violence against women and girls, including domestic violence, at all levels;

(*c*) Accelerating efforts to develop, review and strengthen inclusive policies, including by allocating adequate resources to address the structural and underlying causes of domestic violence against women and girls, to overcome gender stereotypes, to encourage media to examine the impact of gender-role stereotypes, including those perpetuated by commercial advertisements that foster gender-based violence and inequalities, to promote zero tolerance for such violence and to remove the stigma of being a victim and survivor of violence, thus creating an enabling and accessible environment where women and girls can easily report incidents of violence and make use of the services available, including protection and assistance programmes;

(*d*) Ensuring access to justice and effective remedies for domestic violence, to ensure accountability of perpetrators as a deterrent for domestic violence against women and girls;

(*e*) Promoting effective preventive measures at an early stage with women, families and children exposed to or at risk of domestic violence, such as parenting education and programmes and child counselling services, to reduce the risk of possible perpetration of violence or re-victimization;

(*f*) Emphasizing the important role that men and boys can play in preventing and eliminating violence against women and girls, and further developing and implementing measures that reinforce non-violent actions, attitudes and values, and encourage men and boys to take an active part and become strategic partners and allies in the prevention and elimination of all forms of violence and discrimination against women and girls, and the importance of effectively responding to violence against boys as well, in order to break intergenerational cycles of violence;

(*g*) Promoting primary prevention efforts with a coordinated range of mutually reinforcing strategies to drive a change in the culture, attitudes and behaviour that underpin violence against women and girls;

(*h*) Taking measures to empower women by, inter alia, strengthening their economic autonomy and ensuring their full and equal participation in society and in decision-making processes by adopting and implementing social and economic policies that guarantee women full and equal access to quality education, including comprehensive sexuality education,[1] and training and affordable and adequate public and social services, as

[1] *The UNESCO (2009) International Technical Guidance on Sexuality Education: En Evidence informed approach for schools, teachers and health educators* defines Sexuality Education as an age-appropriate, culturally relevant approach to teaching about sex and relationships by providing scientifically accurate, realistic and non-judgemental information. Sexuality education provides opportunities to explore one's own values and attitudes and to build decision-making, communication

well as full and equal access to financial resources and decent work, and full and equal rights to own and have access to and control over land and other property, and guaranteeing women's and girls' inheritance rights;

9. *Also calls upon* States to take effective action to respond to domestic violence, including by:

(*a*) Adopting, strengthening and implementing legislation that prohibits such violence, including partner violence and marital rape, prescribes punitive measures and establishes adequate legal protection against such violence, including victim and witness protection from reprisals for bringing complaints or giving evidence;

(*b*) Ensuring women's and girls' unimpeded access to justice, effective legal assistance and information regarding their rights without discrimination so that they have access to just and effective remedies for the harm that they have suffered, including through, where necessary, the adoption of national legislation;

(*c*) Exercising due diligence to prevent, investigate and penalize all forms of violence against women and girls and to ensure accountability for acts of domestic violence, including by providing safe and appropriate complaint channels;

(*d*) Creating, developing and implementing a set of policies, and supporting the establishment of rehabilitative services, in order to encourage and bring changes in the attitudes and behaviour of perpetrators of violence against women and girls, and to reduce the likelihood of reoffending, including in cases of domestic violence, rape and harassment, as well as monitoring and assessing their impact and effect;

(*e*) Establishing comprehensive, coordinated, interdisciplinary, accessible and sustained multisectoral services, programmes and responses at all levels to provide immediate protection and support through which shelter and legal, health and psychological counselling and other services are available to all women facing or subjected to violence, and promoting collaboration and coordination among agencies;

(*f*) Providing training to relevant public officials in law enforcement, the administration of justice, and education and health sectors to be aware of, and responsive, sensitive and diligent with regard to the nature, incidence, underlying causes and short- and long-term impact of domestic violence;

10. *Urges* States to take effective action to protect victims of domestic violence, including by:

(*a*) Providing relevant, comprehensive victim-centered legal protections to support and assist victims of domestic violence within the framework of their national legal systems, including, as appropriate, legislative or other measures throughout the criminal and civil justice system, such as specialized courts, protection orders, the use of threat assessments and risk analysis tools, and provisions to address their special needs as witnesses, at all stages of investigations and judicial proceedings;

(*b*) Establishing comprehensive, coordinated, interdisciplinary, accessible and sustained multisectoral services, programmes and responses at all levels for all victims and survivors of all forms of violence against women and girls, including domestic violence, that are adequately resourced and include effective and coordinated action by, as appropriate, police and the justice sector, legal aid services, health-care services, including for sexual and reproductive health, and medical and psychological assistance and counselling services, as well as State and independent women's shelters and counselling

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and risk-reduction skills about many aspects of sexuality.

centres, 24-hour hotlines, social aid services, one-stop crisis centres, child aid services, skills training and public housing services that would provide easy to reach and safe assistance for women and children, including women and girls with disabilities, as well as assistance, protection and support through access to long-term accommodation;

(*c*) Fulfilling their obligations at all levels to promote and protect all human rights and fundamental freedoms, including those of women and girls, and exercising due diligence to prevent, investigate, prosecute and hold to account perpetrators, and to eliminate impunity and provide for access to appropriate remedies for victims and survivors, and should ensure the protection and empowerment of women and girls, including through adequate enforcement by police and the judiciary of civil remedies, orders of protection and criminal sanctions;

(*d*) Establishing and/or strengthening police and health workers' response protocols and procedures to ensure that all appropriate actions are taken to protect victims of domestic violence and to prevent further acts of domestic violence;

11. *Also urges* States to ensure the promotion and protection of the human rights of all women and their sexual and reproductive health and reproductive rights, in accordance with the Programme of Action of the International Conference on Population and Development, the Beijing Platform for Action and the outcome documents of their review conferences, including through the development and enforcement of policies and legal frameworks and the strengthening of health systems that make universally accessible and available quality, comprehensive sexual and reproductive health-care services, commodities, information and education, including, inter alia, safe and effective methods of modern contraception, emergency contraception, prevention programmes for adolescent pregnancy, maternal health care, such as skilled birth attendance and emergency obstetric care, which will reduce obstetric fistula and other complications of pregnancy and delivery, safe abortion where such services are permitted by national law, and prevention and treatment of reproductive tract infections, sexually transmitted infections, HIV and reproductive cancers, recognizing that human rights include the right to have control over and decide freely and responsibly on matters related to their sexuality, including sexual and reproductive health, free from coercion, discrimination and violence;

12. *Encourages* States to improve the collection, harmonization and use of data disaggregated by sex, administrative data, including, where appropriate, from the police, the health sector and the judiciary, on incidents of violence against women and girls, including domestic violence, such as data on the relationship between the perpetrator and victim and geographic location, ensuring that confidentiality and ethical and safety considerations are taken into account in the process of data collection, and improving the effectiveness of the services and programmes provided and protecting the safety and security of the victim;

13. *Reaffirms* the importance of a stand-alone goal on achieving gender equality and the empowerment of women and girls, including a target on eliminating all forms of violence against all women and girls in the public and private spheres by 2030, and looks forward to the integration of a gender perspective into the post-2015 development agenda and the mainstreaming of gender equality and women's empowerment into all sustainable development goals, as reflected in the report of the Open Working Group on Sustainable Development Goals,[2] which is the main basis for integrating sustainable development goals into the post-2015 development agenda, while recognizing that other inputs will also be considered;

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[2] See General Assembly resolution 68/309, and A/68/970 and Corr.1.

14. *Welcomes* the mandate and the work of the Special Rapporteur on violence against women, its causes and consequences, and takes note of the thematic report on regional initiatives to combat violence against women;[3]

15. *Notes* that, in its report,[4] the Working Group on the issue of discrimination against women in law and in practice underlines the pervasiveness of domestic violence and the negative impact it has on women and on society as a whole;

16. *Welcomes* the panel discussion on domestic violence against women and girls, held during the annual full-day discussion on women's human rights at the twenty-ninth session of the Human Rights Council, and requests the Office of the United Nations High Commissioner for Human Rights to present a summary report on the discussion to the Council at its thirtieth session;

17. *Decides* to continue its consideration of the issue of the prevention and elimination of all forms of violence against women and girls, its causes and consequences as a matter of high priority and in conformity with its annual programme of work.

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[3] A/HRC/29/27.
[4] A/HRC/29/40.

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Human Rights Council
Twenty-ninth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Austria,* Belgium,* Bosnia and Herzegovina,* Colombia,* Czech Republic,* Finland,* Guatemala,* Ireland, Latvia, Liechtenstein,* Mexico, Norway,* Peru,* Slovakia,* Switzerland,* the former Yugoslav Republic of Macedonia: draft resolution

29/... Protection of human rights and fundamental freedoms while countering terrorism

The Human Rights Council,

Reaffirming its decision 2/112 of 27 November 2006 and its resolutions 6/28 of 14 December 2007, 7/7 of 27 March 2008, 10/15 of 26 March 2009, 13/26 of 26 March 2010, 19/19 of 23 March 2012 and 25/7 of 27 March 2014, and Commission on Human Rights resolutions 2003/68 of 25 April 2003, 2004/87 of 21 April 2004 and 2005/80 of 21 April 2005, recalling General Assembly resolutions 57/219 of 18 December 2002, 58/187 of 22 December 2003, 59/191 of 20 December 2004, 60/158 of 16 December 2005, 61/171 of 19 December 2006, 62/159 of 18 December 2007, 63/185 of 18 December 2008, 64/168 of 18 December 2009, 65/221 of 21 December 2010, 66/171 of 19 December 2011 and 68/178 of 18 December 2013, and welcoming the efforts of all relevant stakeholders to implement them,

1. *Calls upon* States to ensure that any measure taken to counter terrorism complies with international law, in particular international human rights, refugee and humanitarian law;

2. *Expresses serious concern* at the violations of human rights and fundamental freedoms, as well as of refugee and international humanitarian law, in the context of countering terrorism;

3. *Reaffirms* its strong and unequivocal condemnation of all acts, methods, practices and financing of terrorism, in all its forms and manifestations, wherever and by whomsoever committed, regardless of their motivation, as criminal and unjustifiable, and

* Non-member State of the Human Rights Council.

renews its commitment to strengthen international cooperation to prevent and combat terrorism, and in that regard, calls upon States and other relevant actors, including regional and subregional organizations, as appropriate, to continue to implement the United Nations Global Counter-Terrorism Strategy and its four pillars, which reaffirm, inter alia, respect for human rights for all and the rule of law as being the fundamental basis of the fight against terrorism;

4. *Stresses* the duty of States to protect persons subject to their jurisdiction against such acts, in full compliance with their international law obligations and in particular with international human rights, refugee and humanitarian law;

5. *Reaffirms* the importance of ensuring that the protection of human rights and fundamental freedoms while countering terrorism is an essential component of the work and strategies of the United Nations for supporting Member States in the context of the fight against terrorism;

6. *Deeply deplores* the suffering caused by terrorism to the victims and their families, expresses its profound solidarity with them, and stresses the importance of providing them with proper support and assistance;

7. *Urges* States, while countering terrorism, to respect and protect all human rights, including economic, social and cultural rights, bearing in mind that certain counter-terrorism measures may have an impact on the enjoyment of those rights;

8. *Reaffirms* that terrorism cannot and should not be associated with any religion, nationality, civilization or ethnic group;

9. *Urges* States to ensure that measures taken to counter terrorism are not discriminatory, and not to resort to profiling based on stereotypes founded on ethnic, racial or religious grounds or any other ground of discrimination prohibited by international law;

10. *Recognizes* the work carried out by the special procedures of the Human Rights Council on the promotion and protection of human rights and fundamental freedoms while countering terrorism;

11. *Acknowledges* that the active participation of civil society can reinforce ongoing governmental efforts to protect human rights and fundamental freedoms while countering terrorism;

12. *Calls upon* States to ensure that measures to combat terrorism and preserve national security are in compliance with their obligations under international law, in particular under international human rights law, and do not hinder the work and safety of individuals, groups and organs of society engaged in promoting and defending human rights;

13. *Urges* States to ensure that gender equality and non-discrimination are taken into account when shaping, reviewing and implementing all counter-terrorism measures;

14. *Calls upon* States, while countering terrorism, to ensure that any person who alleges that his or her human rights or fundamental freedoms have been violated has access to an effective remedy and that victims of human rights violations receive adequate, effective and prompt reparations, which should include, as appropriate, restitution, compensation, rehabilitation and guarantees of non-recurrence;

15. *Also calls upon* States, while countering terrorism, to review their procedures, practices and legislation regarding the surveillance of communications, their interception and the collection of personal data, including mass surveillance, interception and collection, with a view to upholding the right to privacy by ensuring the full and effective implementation of all their obligations under international human rights law, and

urges them to take measures to ensure that interference with the right to privacy is regulated by law, which must be publicly accessible, clear, precise, comprehensive and non-discriminatory, and that such interference is not arbitrary or unlawful, bearing in mind what is reasonable to the pursuance of legitimate aims;

16. *Urges* States to ensure that any measure taken or means employed to counter terrorism, including the use of remotely piloted aircraft, complies with their obligations under international law, including international human rights law and international humanitarian law;

17. *Also urges* States to undertake prompt, independent and impartial fact-finding inquiries whenever there are plausible indications of breaches of their obligations under international human rights law as a result of any measures taken or means employed to counter terrorism, and to ensure accountability for those responsible for violations that amount to crimes under national or international law;

18. *Notes with concern* measures that can undermine human rights and the rule of law, such as the detention of persons suspected of acts of terrorism in the absence of a legal basis for detention and due process guarantees, the unlawful deprivation of the right to life, and other fundamental freedoms, such as freedom of assembly and association, the deprivation of liberty that amounts to placing a detained person outside the protection of the law, the trial of suspects without fundamental judicial guarantees, the illegal deprivation of liberty and transfer of individuals suspected of terrorist activities, the return of suspects to countries without individual assessment of the risk that they would be subjected to torture, and limitations to effective scrutiny of counter-terrorism measures;

19. *Stresses* that all measures used in the fight against terrorism, including the profiling of individuals and the use of diplomatic assurances, memorandums of understanding and other transfer agreements or arrangements, must be in compliance with the obligations of States under international law, including international human rights, refugee and humanitarian law;

20. *Urges* States, while countering terrorism, to respect the rights to be equal before the courts and tribunals and to a fair trial, as provided for by international law, including international human rights law, such as article 14 of the International Covenant on Civil and Political Rights and, as applicable, international humanitarian law and refugee law;

21. *Also urges* States to take measures to ensure that counter-terrorism laws and implementing measures are consistent with and are applied in a manner that fully respects the rights compliant with articles 10 and 11 of the Universal Declaration of Human Rights and further codified in articles 14 and 15 of the International Covenant on Civil and Political Rights, in particular to ensure respect of the principle of certainty of the law by clear and precise provisions;

22. *Reiterates its concern* with regard to measures that can undermine human rights and the rule of law, and urges all States to take all necessary steps to ensure that persons deprived of their liberty, regardless of the place of arrest or detention, enjoy the guarantees to which they are entitled under international law, including review of their detention and other fundamental judicial guarantees;

23. *Takes note* of the report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism;[1]

[1] A/HRC/29/51.

24. *Takes note with appreciation* of the report of the United Nations High Commissioner for Human Rights on the protection of human rights and fundamental freedoms while countering terrorism;[2]

25. *Requests* the Special Rapporteur, in accordance with his mandate, to continue to gather, request, receive and exchange information on alleged violations of human rights and fundamental freedoms while countering terrorism, and to report regularly to the Human Rights Council;

26. *Requests* all States to cooperate fully with the Special Rapporteur in the performance of the tasks and duties mandated, including by reacting promptly to urgent appeals and providing the information requested, and to give serious consideration to responding favourably to requests by the Special Rapporteur to visit their countries;

27. *Encourages* United Nations bodies, agencies, funds and programmes involved in supporting counter-terrorism efforts to continue to facilitate the promotion and protection of human rights and fundamental freedoms, as well as due process and the rule of law, while countering terrorism;

28. *Requests* the High Commissioner and the Special Rapporteur to contribute further, appropriately, to the ongoing discussion regarding the efforts of States Members of the United Nations to put in place adequate human rights guarantees to ensure fair and clear procedures, in particular with regard to placing individuals and entities on, and removing them from, terrorism-related sanctions lists;

29. *Recalls* that the General Assembly, in its resolution 66/171, recognized the need to continue ensuring that fair and clear procedures under the United Nations terrorism-related sanctions regime are strengthened in order to enhance their efficiency and transparency, and welcomed and encouraged the ongoing efforts of the Security Council in support of those objectives, including by supporting the enhanced role of the office of the ombudsperson and continuing to review all the names of individuals and entities in the regime, while emphasizing the importance of sanctions in countering terrorism;

30. *Stresses* the importance that relevant United Nations bodies and entities and international, regional and subregional organizations, in particular those that are participating in the Counter-Terrorism Implementation Task Force, that provide technical assistance relating to the prevention and suppression of terrorism to consenting States, include, as appropriate and where consistent with their mandates, respect of international human rights law and, as applicable, international humanitarian law and refugee law, as well as the rule of law, as an important element of the technical assistance that they offer to States in the area of counter-terrorism, including by drawing on the advice of, and otherwise ensuring ongoing dialogue with, the special procedures of the Human Rights Council within their mandates and the Office of the High Commissioner and relevant stakeholders;

31. *Requests* the High Commissioner and the Special Rapporteur to present their reports, bearing in mind the content of the present resolution, to the Human Rights Council under agenda item 3, in conformity with its annual programme of work.

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[2] A/HRC/28/28.

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Human Rights Council
Twenty-ninth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Argentina, Austria,* Belgium,* Bosnia and Herzegovina,* Bulgaria,* Colombia,* Cyprus,* Czech Republic,* Finland,* Georgia,* Germany, Guatemala,* Ireland, Latvia, Liechtenstein,* Mexico, Netherlands, Norway,* Peru,* San Marino,* Slovakia,* Spain, Switzerland,* the former Yugoslav Republic of Macedonia: draft resolution

29/... Protection of human rights and fundamental freedoms while countering terrorism

The Human Rights Council,

Reaffirming its decision 2/112 of 27 November 2006 and its resolutions 6/28 of 14 December 2007, 7/7 of 27 March 2008, 10/15 of 26 March 2009, 13/26 of 26 March 2010, 19/19 of 23 March 2012 and 25/7 of 27 March 2014, and Commission on Human Rights resolutions 2003/68 of 25 April 2003, 2004/87 of 21 April 2004 and 2005/80 of 21 April 2005, recalling General Assembly resolutions 57/219 of 18 December 2002, 58/187 of 22 December 2003, 59/191 of 20 December 2004, 60/158 of 16 December 2005, 61/171 of 19 December 2006, 62/159 of 18 December 2007, 63/185 of 18 December 2008, 64/168 of 18 December 2009, 65/221 of 21 December 2010, 66/171 of 19 December 2011 and 68/178 of 18 December 2013, and welcoming the efforts of all relevant stakeholders to implement them,

1. *Calls upon* States to ensure that any measure taken to counter terrorism complies with international law, in particular international human rights, refugee and humanitarian law;

2. *Expresses serious concern* at the violations of human rights and fundamental freedoms, as well as of refugee and international humanitarian law, in the context of countering terrorism;

3. *Reaffirms* its strong and unequivocal condemnation of all acts, methods, practices and financing of terrorism, in all its forms and manifestations, wherever and by

* Non-member State of the Human Rights Council.

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whomsoever committed, regardless of their motivation, as criminal and unjustifiable, and renews its commitment to strengthen international cooperation to prevent and combat terrorism, and in that regard, calls upon States and other relevant actors, including regional and subregional organizations, as appropriate, to continue to implement the United Nations Global Counter-Terrorism Strategy and its four pillars, which reaffirm, inter alia, respect for human rights for all and the rule of law as being the fundamental basis of the fight against terrorism;

4. *Stresses* the responsibility of States to protect persons in their territory against such acts, in full compliance with their international law obligations and in particular with international human rights, refugee and humanitarian law;

5. *Reaffirms* the importance of ensuring that the protection of human rights and fundamental freedoms while countering terrorism is an essential component of the work and strategies of the United Nations for supporting Member States in the context of the fight against terrorism;

6. *Deeply deplores* the suffering caused by terrorism to the victims and their families, expresses its profound solidarity with them, and stresses the importance of providing them with proper support and assistance;

7. *Urges* States, while countering terrorism, to respect and protect all human rights, including economic, social and cultural rights, bearing in mind that certain counter-terrorism measures may have an impact on the enjoyment of those rights;

8. *Reaffirms* that terrorism cannot and should not be associated with any religion, nationality, civilization or ethnic group;

9. *Urges* States to ensure that measures taken to counter terrorism are not discriminatory, and not to resort to profiling based on stereotypes founded on ethnic, racial or religious grounds or any other ground of discrimination prohibited by international law;

10. *Recognizes* the work carried out by the special procedures of the Human Rights Council on the promotion and protection of human rights and fundamental freedoms while countering terrorism;

11. *Acknowledges* that the active participation of civil society can reinforce ongoing governmental efforts to protect human rights and fundamental freedoms while countering terrorism;

12. *Calls upon* States to ensure that measures to combat terrorism and preserve national security are in compliance with their obligations under international law, in particular under international human rights law, and do not hinder the work and safety of individuals, groups and organs of society engaged in promoting and defending human rights;

13. *Urges* States to ensure that gender equality and non-discrimination are taken into account when shaping, reviewing and implementing all counter-terrorism measures;

14. *Calls upon* States, while countering terrorism, to ensure that any person who alleges that his or her human rights or fundamental freedoms have been violated has access to an effective remedy and that victims of human rights violations receive adequate, effective and prompt reparations, which should include, as appropriate, restitution, compensation, rehabilitation and guarantees of non-recurrence;

15. *Also calls upon* States, while countering terrorism, to review their procedures, practices and legislation regarding the surveillance of communications, their interception and the collection of personal data, including mass surveillance, interception and collection, with a view to upholding the right to privacy by ensuring the full and

effective implementation of all their obligations under international human rights law, and urges them to take measures to ensure that interference with the right to privacy is regulated by law, which must be publicly accessible, clear, precise, comprehensive and non-discriminatory, and that such interference is not arbitrary or unlawful, bearing in mind what is reasonable to the pursuance of legitimate aims;

16. *Urges* States to ensure that any measure taken or means employed to counter terrorism, including the use of remotely piloted aircraft, complies with their obligations under international law, including international human rights law and international humanitarian law;

17. *Also urges* States to undertake prompt, independent and impartial fact-finding inquiries whenever there are plausible indications of breaches of their obligations under international human rights law as a result of any measures taken or means employed to counter terrorism, and to ensure accountability for those responsible for violations that amount to crimes under national or international law;

18. *Notes with concern* measures that can undermine human rights and the rule of law, such as the detention of persons suspected of acts of terrorism in the absence of a legal basis for detention and due process guarantees, the unlawful deprivation of the right to life, and other fundamental freedoms, such as freedom of assembly and association, the deprivation of liberty that amounts to placing a detained person outside the protection of the law, the trial of suspects without fundamental judicial guarantees, the illegal deprivation of liberty and transfer of individuals suspected of terrorist activities, the return of suspects to countries without individual assessment of the risk of there being substantial grounds for believing that they would be in danger of subjection to torture, and limitations to effective scrutiny of counter-terrorism measures;

19. *Stresses* that all measures used in the fight against terrorism, including the profiling of individuals and the use of diplomatic assurances, memorandums of understanding and other transfer agreements or arrangements, must be in compliance with the obligations of States under international law, including international human rights, refugee and humanitarian law;

20. *Urges* States, while countering terrorism, to respect the rights to be equal before the courts and tribunals and to a fair trial, as provided for by international law, including international human rights law, such as article 14 of the International Covenant on Civil and Political Rights and, as applicable, international humanitarian law and refugee law;

21. *Also urges* States to take measures to ensure that counter-terrorism laws and implementing measures are consistent with and are applied in a manner that fully respects the rights compliant with articles 10 and 11 of the Universal Declaration of Human Rights and further codified in articles 14 and 15 of the International Covenant on Civil and Political Rights, in particular to ensure respect of the principle of certainty of the law by clear and precise provisions;

22. *Reiterates its concern* with regard to measures that can undermine human rights and the rule of law, and urges all States to take all necessary steps to ensure that persons deprived of their liberty, regardless of the place of arrest or detention, enjoy the guarantees to which they are entitled under international law, including review of their detention and other fundamental judicial guarantees;

23. *Takes note* of the report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism;[1]

24. *Takes note with appreciation* of the report of the United Nations High Commissioner for Human Rights on the protection of human rights and fundamental freedoms while countering terrorism;[2]

25. *Requests* the Special Rapporteur, in accordance with his mandate, to continue to gather, request, receive and exchange information on alleged violations of human rights and fundamental freedoms while countering terrorism, and to report regularly to the Human Rights Council;

26. *Requests* all States to cooperate fully with the Special Rapporteur in the performance of the tasks and duties mandated, including by reacting promptly to urgent appeals and providing the information requested, and to give serious consideration to responding favourably to requests by the Special Rapporteur to visit their countries;

27. *Encourages* United Nations bodies, agencies, funds and programmes involved in supporting counter-terrorism efforts to continue to facilitate the promotion and protection of human rights and fundamental freedoms, as well as due process and the rule of law, while countering terrorism;

28. *Requests* the High Commissioner and the Special Rapporteur to contribute further, appropriately, to the ongoing discussion regarding the efforts of States Members of the United Nations to put in place adequate human rights guarantees to ensure fair and clear procedures, in particular with regard to placing individuals and entities on, and removing them from, terrorism-related sanctions lists;

29. *Recalls* that the General Assembly, in its resolution 66/171, recognized the need to continue ensuring that fair and clear procedures under the United Nations terrorism-related sanctions regime are strengthened in order to enhance their efficiency and transparency, and welcomed and encouraged the ongoing efforts of the Security Council in support of those objectives, including by supporting the enhanced role of the office of the ombudsperson and continuing to review all the names of individuals and entities in the regime, while emphasizing the importance of sanctions in countering terrorism;

30. *Stresses* the importance that relevant United Nations bodies and entities and international, regional and subregional organizations, in particular those that are participating in the Counter-Terrorism Implementation Task Force, that provide technical assistance relating to the prevention and suppression of terrorism to consenting States, include, as appropriate and where consistent with their mandates, respect of international human rights law and, as applicable, international humanitarian law and refugee law, as well as the rule of law, as an important element of the technical assistance that they offer to States in the area of counter-terrorism, including by drawing on the advice of, and otherwise ensuring ongoing dialogue with, the special procedures of the Human Rights Council within their mandates and the Office of the High Commissioner and relevant stakeholders;

31. *Requests* the High Commissioner and the Special Rapporteur to present their reports, bearing in mind the content of the present resolution, to the Human Rights Council under agenda item 3, in conformity with its annual programme of work.

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[1] A/HRC/29/51.

[2] A/HRC/28/28.

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Human Rights Council
Twenty-ninth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Cuba, Ecuador,* Nigeria, Nicaragua,* Peru,* Switzerland,* Venezuela (Bolivarian Republic of): draft resolution

29/... Human rights and the regulation of civilian acquisition, possession and use of firearms

The Human Rights Council,

Guided by the Charter of the United Nations and the Universal Declaration of Human Rights,

Recalling the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, other international human rights law instruments and the Vienna Declaration and Programme of Action,

Recalling also General Assembly resolution 60/251 of 15 March 2006, and Human Rights Council resolutions 5/1 and 5/2 and decision 5/101 of 18 June 2007, 16/21 of 25 March 2011 and 26/16 of 26 June 2014,

Recalling in particular that the Human Rights Council has the mandate to, inter alia, serve as a forum for dialogue on thematic issues on all human rights,

Recalling that States bear the primary responsibility under international law to promote and protect all human rights and fundamental freedoms, including the right to life and security of person, and that such responsibility may include, as appropriate, the enacting and enforcing of relevant national legislation,

Reaffirming that everyone has the right to life, liberty and security of person and is entitled to a social and international order in which the rights and freedoms set forth in the Universal Declaration of Human Rights can be fully realized,

Alarmed that hundreds of thousands of human beings of all ages around the world, including women and children, continue to have their human rights, in particular their right

* Non-member State of the Human Rights Council.

to life and security of person, negatively affected by the misuse, intentional or unintentional, of firearms, and that a significant number of such killings of women have occurred as a result of inter-partner violence,

Acknowledging that an effective national regulation of civilian acquisition, possession and use of firearms may enhance the protection of the right to life and security of person and thus contribute positively to diminishing the number of victims of the misuse of firearms,

Acknowledging also the efforts made by different States at various levels, including at the regional and subregional levels, to ensure that the civilian acquisition, possession and use of firearms in their respective societies are effectively regulated,

1. *Reiterates its deep concern* at the fact that hundreds of thousands of human beings of all ages around the world, including women and children, have lost their lives or suffered injuries and psychological harm by the misuse of firearms by civilians, thus having their human rights, in particular their right to life and security of person, negatively affected;

2. *Calls once more upon* all States to do their utmost to take appropriate legislative, administrative and other measures, consistent with international human rights law and their constitutional frameworks, in order to ensure that civilian acquisition, possession and use of firearms are effectively regulated with the aim of enhancing the protection of human rights, in particular the right to life and security of person, of all;

3. *Requests* the United Nations High Commissioner for Human Rights to present to the Human Rights Council at its thirty-second session a report on the different ways in which civilian acquisition, possession and use of firearms have been effectively regulated, with a view to assessing the contribution of such regulation to the protection of human rights, in particular the right to life and security of person, and to identify best practices that may guide States to further develop relevant national regulation if they so deem it necessary;

4. *Invites* all relevant special procedures, commissions of inquiry and human rights treaty bodies to continue to bear in mind the present resolution within the framework of their respective mandates.

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Human Rights Council
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Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Austria,* Bolivia (Plurinational State of), Bosnia and Herzegovina,* Botswana, Brazil, Bulgaria,* Chad,* Cyprus,* Democratic Republic of the Congo,* Estonia, Ethiopia, Finland,* Georgia,* Greece,* Honduras,* Hungary,* Indonesia, Ireland, Italy,* Latvia, Liechtenstein,* Lithuania,* Mexico, Montenegro, Morocco, New Zealand,* Paraguay, Poland,* Portugal, Qatar, Republic of Moldova,* Rwanda,* Slovakia,* Spain,* Sri Lanka,* Switzerland,* Thailand,* the former Yugoslav Republic of Macedonia, Tunisia,* Turkey,* United Kingdom of Great Britain and Northern Ireland, Ukraine:* draft resolution

29/... The negative impact of corruption on the enjoyment of human rights

The Human Rights Council,

Guided by the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant international human rights instruments,

Recalling all relevant resolutions of the Commission on Human Rights and the Human Rights Council, including Council resolutions 19/20 of 23 March 2012 on the role of good governance in the promotion and protection of human rights, 21/13 of 27 September 2012 on a panel discussion on the negative impact of corruption on the enjoyment of human rights, and 23/9 of 13 June 2013,

Recalling also that the United Nations Convention against Corruption, to which 140 States are signatories and 175 States are parties, is the most comprehensive and universal instrument on corruption since its entry into force on 14 December 2005, of which the purposes are outlined in its article 1,

Noting with interest the outcomes of the third, fourth and fifth sessions of the Conference of the States Parties to the United Nations Convention against Corruption, held,

* Non-member State of the Human Rights Council.

respectively, in Doha in 2009, in Marrakech, Morocco, in 2011, and in Panama City in 2013, and looking forward to the sixth session of the Conference, to be held in Saint Petersburg, Russian Federation, in 2015,

Reaffirming that States have the primary responsibility for the promotion and protection of human rights,

Acknowledging that good governance has a central role in the promotion and protection of human rights and in the prevention of and the fight against corruption at all levels,

Deeply concerned about the increasing negative impact of widespread corruption on the enjoyment of all human rights, including by reducing the resources available for all sectors in development, thereby hampering the realization of all human rights,

Emphasizing that human rights education and awareness-raising campaigns and other measures are important enablers for the prevention of and the fight against corruption,

Recalling that transparency, access to information, accountability, non-discrimination and meaningful participation are an integral part of sustainable and comprehensive anti-corruption measures,

Welcoming the commitment made by all States in the 2005 World Summit Outcome[1] to make the fight against corruption a priority at all levels,

Welcoming also the engagement of States parties to the United Nations Convention against Corruption through appropriate measures, such as the development of national action plans to strengthen implementation of the Convention at the domestic level and through the Mechanism for the Review of Implementation of the United Nations Convention against Corruption, aimed at identifying gaps and assisting countries in meeting the objectives of the Convention,

Welcoming further efforts to address corruption in the ongoing negotiations of the post-2015 development agenda, in particular the proposed target on substantially reducing corruption and bribery in all their forms,

Welcoming the joint statement on the negative impact of corruption on the enjoyment of human rights made on behalf of 134 States Members of the United Nations at the twentieth session of the Human Rights Council,

Welcoming also the holding by the Human Rights Council, at its twenty-second session, of a panel discussion on the negative impact of corruption on the enjoyment of human rights,

1. *Takes note with interest* of the final report of the Human Rights Council Advisory Committee on the issue of the negative impact of corruption on the enjoyment of human rights;[2]

2. *Urges* States that have not yet done so to consider ratifying or acceding to the United Nations Convention against Corruption, and calls upon on States parties to the Convention to implement it;

3. *Underlines* the necessity to step up cooperation and coordination among different stakeholders at the national, regional and international levels to fight corruption in

[1] General Assembly resolution 60/1.
[2] A/HRC/28/73.

all its forms as a means of contributing positively to the promotion and protection of human rights;

4. *Stresses* that preventive measures are one of the most effective means of countering corruption and of avoiding its negative impact on the enjoyment of human rights, calls for the strengthening of prevention measures at all levels, and underlines that one key aspect of preventive measures is to address the needs of groups in vulnerable situations who may be the first victims of corruption;

5. *Recognizes* that the negative impact of corruption on human rights and sustainable development can be combated through anti-corruption education, and notes with appreciation the capacity-building activities and specialized curricula developed by relevant institutions, such as the United Nations Office on Drugs and Crime and the International Anti-Corruption Academy;

6. *Encourages* consideration of the need for cooperation between national anti-corruption authorities and national human rights institutions, where they exist, through the exchange of information, where appropriate, and the development of joint strategies and action plans to fight corruption and its negative effects on the enjoyment of human rights;

7. *Invites* the Office of the United Nations High Commissioner for Human Rights and the United Nations Office on Drugs and Crime, as the secretariat of the Conference of States Parties to the United Nations Convention against Corruption, to exchange views to deepen the understanding of the nexus between corruption and human rights;

8. *Encourages* the mechanisms of the Human Rights Council to consider, within their existing mandates, the issue of the negative impact of corruption on the enjoyment of human rights;

9. *Requests* the High Commissioner to prepare a compilation of best practices of efforts to counter the negative impact of corruption on the enjoyment of all human rights developed by States, national human rights institutions, national anti-corruption authorities, civil society and academia, with a view to submitting it the Council at its thirty-second session.

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Human Rights Council
Twenty-ninth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Albania, Australia,* Benin,* Bulgaria,* Cyprus,* Estonia, Georgia,* Germany, Greece,* Guatemala,* Honduras,* Hungary,* Israel,* Latvia, Lithuania,* Luxembourg,* New Zealand,* Peru,* Republic of Moldova,* Spain,* the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay:* draft resolution

29/... The right to freedom of expression, including in the form of art

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Recalling the Universal Declaration of Human Rights and relevant international human rights treaties, including the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,

Recalling also all previous resolutions of the Commission on Human Rights and the Human Rights Council on the right to freedom of opinion and expression, in particular the most recent, Council resolutions 23/2 of 13 June 2013 and 25/2 of 27 March 2014,

Reaffirming articles 19 of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights,

Welcoming the important work of the United Nations Educational, Scientific and Cultural Organization to promote and protect the right to freedom of expression, including in the form of art, and cultural diversity,

Recognizing that the effective exercise of the right to freedom of opinion and expression, as enshrined in the International Covenant on Civil and Political Rights and the Universal Declaration of Human Rights, is essential for the enjoyment of other human rights and freedoms and constitutes a fundamental pillar for building a democratic society and strengthening democracy, bearing in mind that all human rights are universal, indivisible, interdependent and interrelated,

* Non-member State of the Human Rights Council.

Recognizing the work on this topic conducted by the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, and other special procedures mandate holders,

Condemning any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, whether it involves the use of print, audiovisual or electronic media, or any other means, including in the form of art,

Noting that art may describe forms of expression that carry an aesthetic and/or symbolic dimension, using different media, including but not limited to painting and drawing, music, song and dance, poetry and literature, theatre and circus, photography, cinema and video, architecture and sculpture, performances and public art interventions, while bearing in mind the importance of respect for cultural and religious diversity,

Emphasizing the role of art as an important vehicle for each person, individually and in community with others, and groups of people to express their views,

Noting that artistic creativity is important for the development of vibrant cultures and contributes to the functioning of democratic societies,

Recognizing that arts education can instil respect for and appreciation and understanding of creative and artistic expression, and can awaken the ability to be artistically creative,

Encouraging States to create an enabling environment for artists to exercise their right to freedom of expression, including in the form of art, while acknowledging the importance of cultural, social and economic benefits of art, including as a means of expression and livelihood,

Concerned that obstacles to exercising the right to freedom of expression, including in the form of art, may generate important cultural, social and economic losses,

1. *Reaffirms* that everyone has the right to freedom of expression, including in the form of art;

2. *Also reaffirms* that everyone has the right freely to participate in the cultural life of the community;

3. *Calls upon* all States:

(*a*) To promote and protect the right to exercise freedom of opinion and expression, including in the form of art, both online and offline, for all individuals;

(*b*) To respect the freedom indispensable for scientific research and creative activity;

(*c*) To take all measures necessary to put an end to violations of the right to freedom of expression, and to create the conditions to prevent such violations, including by ensuring that relevant national legislation complies with their international human rights obligations and is effectively implemented;

(*d*) To ensure that victims of violations of the right to freedom of expression have an effective remedy, to investigate effectively threats and acts of violence, and to bring to justice those responsible in order to combat impunity;

(*e*) To promote the development and enhancement of arts education in schools and communities, consistent with their obligations and commitments regarding the right to education, particularly regarding children;

(*f*) To ensure that any measure that may impose restrictions on the right to freedom of expression, including in the form of art, is in conformity with their international human rights obligations;

4. *Emphasizes* the important role of artistic expression and creativity in the development of society and, accordingly, the importance of a safe and enabling environment in that regard, in accordance with article 19 of the International Covenant on Civil and Political Rights;

5. *Invites* special procedures mandate holders, and in particular the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, to pay attention, within the framework of their mandates, to the right to freedom of expression in the form of art and the effects of obstacles in this regard.

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Human Rights Council
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Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Bangladesh, Bosnia and Herzegovina,* France, Guatemala,* Haiti,* Mauritania,* Peru,* Philippines,* Venezuela (Bolivarian Republic of), Viet Nam: draft resolution

29/... Human rights and climate change

The Human Rights Council,

Guided by the Charter of the United Nations, and reaffirming the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Vienna Declaration and Programme of Action,

Recalling all its previous resolutions on human rights and climate change,

Reaffirming the United Nations Framework Convention on Climate Change and the objectives and principles thereof, and emphasizing that parties should, in all climate change-related actions, fully respect human rights as enunciated in the outcome of the sixteenth session of the Conference of Parties to the Convention,[1]

Reaffirming also the commitment to enable the full, effective and sustained implementation of the United Nations Framework Convention on Climate Change through long-term cooperative action, in order to achieve the ultimate objective of the Convention,

Acknowledging that, as stated in the United Nations Framework Convention on Climate Change, the global nature of climate change calls for the widest possible cooperation by all countries and their participation in an effective and appropriate international response, in accordance with their common but differentiated responsibilities and respective capabilities and their social and economic conditions,

Acknowledging also that, as stated in the United Nations Framework Convention on Climate Change, responses to climate change should be coordinated with social and economic development in an integrated manner with a view to avoiding adverse impact on

* Non-member State of the Human Rights Council.

[1] FCCC/CP/2010/7/Add.1, dec.1/CP.16.

the latter, taking into full account the legitimate priority needs of developing countries for the achievement of sustained economic growth and the eradication of poverty,

Affirming that human rights obligations, standards and principles have the potential to inform and strengthen international, regional and national policymaking in the area of climate change, promoting policy coherence, legitimacy and sustainable outcomes,

Emphasizing that the adverse effects of climate change have a range of implications, both direct and indirect, for the effective enjoyment of human rights, including, inter alia, the right to life, the right to adequate food, the right to the enjoyment of highest attainable standard of physical and mental health, the right to adequate housing, the right to self-determination, the right to safe drinking water and sanitation and the right to development, and recalling that in no case may a people be deprived of its own means of subsistence,

Expressing concern that, while these implications affect individuals and communities around the world, the adverse effects of climate change are felt most acutely by those segments of the population that are already in vulnerable situations owing to factors such as geography, poverty, gender, age, indigenous or minority status, national or social origin, birth or other status and disability,

Expressing concern also that countries lacking the resources for implementing their adaptation plans and programmes of action and effective adaptation strategies may suffer from higher exposure to extreme weather events, in both rural and urban areas, particularly in developing countries, including those in least developed countries, small island developing States and African countries with more climate vulnerability,

Recognizing the particular vulnerabilities of non-nationals who may face challenges associated with implementing appropriate responses in extreme weather conditions owing to their status and who may have limited access to information and services, resulting in barriers to the full enjoyment of their human rights,

Affirming the commitment to enhance action on adaptation under the Cancun Adaptation Framework and to implement further the Nairobi Work Programme of the United Nations Framework Convention on Climate Change,

Welcoming the holding of the twenty-first Conference of the Parties to the United Nations Framework Convention on Climate Change in December 2015, in Paris,

Noting the importance of facilitating meaningful interaction between the human rights and climate change communities in order to build capacity to deliver responses to climate change, as outlined in the Geneva Pledge on Human Rights in Climate Action,

Noting also the establishment and the advocacy of the Climate Vulnerable Forum,

1. *Expresses concern* that climate change has contributed to the increase of both sudden-onset natural disasters and slow-onset events, and that these events have adverse effects on the full enjoyment of all human rights;

2. *Emphasizes* the urgent importance of continuing to address, as they relate to States' human rights obligations, the adverse consequences of climate change for all, particularly in developing countries and its people whose situation is most vulnerable to climate change, especially those in a situation of extreme poverty, and deteriorating livelihood conditions;

3. *Decides* to incorporate into its programme of work for the thirty-first session, on the basis of the different elements contained in the present resolution, a panel discussion on the adverse impact of climate change on States' efforts to progressively realize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health and related policies, lessons learned and good practices;

4. *Requests* the Office of the United Nations High Commissioner for Human Rights, in consultation with and taking into account the views of States, the special procedures of the Human Rights Council, the World Health Organization and other relevant international organizations and intergovernmental bodies, including the Intergovernmental Panel on Climate Change and the secretariat of the United Nations Framework Convention on Climate Change, and other stakeholders, to conduct, from within existing resources, a detailed analytical study on the relationship between climate change and the human right of everyone to the enjoyment of the highest attainable standard of physical and mental health to be submitted to the Council prior to its thirty-first session and with a view to informing the panel discussion mandated in paragraph 3 above;

5. *Also requests* the Office of the High Commissioner to submit to the Human Rights Council, at its session following the panel discussion, a summary report, including any recommendations stemming therefrom, for consideration of further follow-up action;

6. *Invites* the special procedures mandate holders, within their respective mandates, and other relevant stakeholders, including academic experts and civil society organizations, to contribute actively to the panel discussion;

7. *Encourages* relevant special procedures mandate holders to continue to consider the issue of climate change and human rights within their respective mandates;

8. *Decides* to consider the possibility of organizing follow-up events on climate change and human rights within its future programme of work;

9. *Requests* the Secretary-General and the High Commissioner to provide all the human and technical assistance necessary for the effective and timely realization of the above-mentioned panel discussion, the summary report thereon, and the analytical study;

10. *Decides* to remain seized of the matter.

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Human Rights Council
Twenty-ninth session
Agenda item 10
Technical assistance and capacity-building

Algeria (on behalf of the African Group): draft resolution

29/... Report of the High Commissioner on technical cooperation and capacity-building for South Sudan in the field of Human Rights

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Guided also by the Universal Declaration of Human Rights, the African Charter on Human and Peoples' Rights and relevant human rights treaties,

Emphasizing that States have the primary responsibility for the promotion and protection of human rights,

Recalling Human Rights Council resolution 5/1 of 18 June 2007, as well as Council resolutions 18/17 of 29 September 2011, 21/28 of 28 September 2012, 23/24 of 14 June 2013 and 26/31 of 27 June 2014 on technical assistance and capacity-building for South Sudan in the field of human rights, and President's statement PRST 25/2 of 28 March 2014,

Recalling also all relevant decisions and communiqués of the African Union and the Intergovernmental Authority on Development,

Taking note of the report of the United Nations High Commissioner for Human Rights on the human rights situation in South Sudan,[1]

Noting with deep concern the prevailing situation on the ground marked by continued fighting and attacks against civilians, as well as a dire humanitarian crisis, including forced displacement, acute food insecurity, access restrictions and other impediments to humanitarian assistance,

Strongly condemning all ceasefire violations committed by the parties, as reported by the Monitoring and Verification Mechanism of the Intergovernmental Authority on Development, as well as the attacks and other egregious acts of violence and abuses of human rights against civilians, including during the fighting in Upper Nile and Unity States in April and May 2015,

[1] A/HRC/28/49.

Condemning in the strongest terms the attacks and other acts of violence and harassment targeting the humanitarian agencies and their personnel and assets. Commending the humanitarian agencies for their continued assistance to the affected populations and, once again, urges all concerned actors to fully cooperate with them,

Deeply concerned by reports of alleged continued violence against children,

Expressing particular concern at increasing reduction in the democratic space in South Sudan, including through the restrictions on the exercise of the human rights to freedoms of expression, peaceful assembly and association,

Emphasizing that persistent barriers to the implementation of Security Council resolution 1325 (2000) of 31 October 2000 will only be dismantled through a dedicated commitment to women's empowerment, participation and human rights, and through concerted leadership, consistent information and action, and support to build women's engagement at all levels of decision-making,

Welcoming the leading mediation efforts of the Intergovernmental Authority on Development and its new Plus mechanism, and the contribution of the African Union, encouraging the renewed regional and international efforts to implement swiftly a comprehensive solution to end the crisis in South Sudan, and urging all parties to engage meaningfully in the peace process so to bring about a political resolution of the crisis and an end to the violence,

Welcoming also the dialogue and Agreement on the reunification of the Sudanese People's Liberation Movement of 21 January 2015, commending the leading role played by the United Republic of Tanzania in bringing together all groups of the Sudanese People's Liberation Movement – namely, the Sudanese People's Liberation Movement in Government, the Sudanese People's Liberation Movement in Opposition and the Sudanese People's Liberation Movement–Former Detainees – to elaborate and finalize the Agreement, also welcoming the recent reinstatement of the dismissed political leaders of the Sudanese People's Liberation Movement to their previous positions, and calls upon the Sudanese People's Liberation Movement in Opposition to fulfil its obligations under the Arusha Agreement,

Calling upon the international community to support the national efforts made by the Government of South Sudan to achieve sustainable peace in the country and urging the United Nations Mission in South Sudan to continue to cooperate and to provide technical support and capacity-building to South Sudan,

Mindful of the immense challenges facing South Sudan as one the least developed countries in the world, facing acute food and water crises, slow progress in its infrastructure and lack of services,

Welcoming the establishment and work of the African Union Commission of Inquiry on South Sudan, and stressing the importance of thorough and genuine investigations into all human rights violations and abuses, and violations of international humanitarian law, with a view to bringing perpetrators to justice,

Welcoming also the communiqué of 13 June 2015 by the African Union Peace and Security Commission, and the Commission's plans to consider the report at a meeting in July 2015, anticipating with interest to the Commission's findings and recommendations, and encouraging the public release of its final report as soon as possible,

1. *Expresses grave concern* at the ongoing human rights violations and abuses and violations of international humanitarian law in South Sudan;

2. *Demands* that all actors halt all human rights violations and abuses and all violations of international humanitarian law, and strongly calls upon the Government of

South Sudan to ensure the protection and promotion of human rights and fundamental freedoms, in particular those of women and children;

3. *Stresses* the importance of accountability, reconciliation and healing as prominent elements of a transitional justice mechanism, and also stresses that perpetrators of violations of international humanitarian law and human rights violations and abuses should be held accountable and brought to justice;

4. *Calls upon* the Government of South Sudan to investigate and report on atrocities, including human rights violations and abuses and violations of international humanitarian law, and to hold those responsible to account;

5. *Recognizes* the importance of independent and public human rights monitoring, investigation and reporting mechanisms for their useful role in laying the groundwork for justice, accountability, reconciliation and healing among members of all South Sudanese communities;

6. *Welcomes* the continued positive engagement of Intergovernmental Authority on Development through the IGAD-Plus mechanism to further push forward the peace process and political dialogue to bring about peace and stability in South Sudan;

7. *Also welcomes* the steps taken towards the implementation of the Agreement on the Reunification of the Sudan People's Liberation Movement of 21 January 2015, notes the efforts of the Chama Cha Mapinduzi of the United Republic of Tanzania, the African National Congress of South Africa and the Ethiopian People's Revolutionary Democratic Front of Ethiopia in this regard aimed at reuniting the Sudan People's Liberation Movement, and the subsequent return of former political detainees, and encourages all parties, in particular the former detainees, to fully play the role expected of them in fostering dialogue and understanding among the leaders of the Sudan People's Liberation Movement, in the overall interest of their country and people, as part of the search for peace, security and reconciliation in South Sudan;

8. *Further welcomes* the appointment of the former President of Mali, Alpha Oumar Konaré, as the African Union High Representative for South Sudan;

9. *Urges* all parties to respect and implement the agreements mediated by the Intergovernmental Authority on Development and to commit to inclusive dialogue, reconciliation and peacebuilding; notes with concern that, since the signing of the Cessation of Hostilities Agreement in January 2014, breaches have continued from both sides of the conflict; calls for this agreement to be respected and for all fighting to cease; and urges the parties to reach a peace agreement to end the conflict;

10. *Expresses its appreciation* for the support of neighbouring countries to refugees, and calls upon the international community to help neighbouring countries hosting refugees, especially women, children and persons with disabilities;

11. *Calls upon* the international community to provide financial and technical assistance to South Sudan in order to improve the conditions of the Human Rights through addressing the acute food and water crises, and improving infrastructure and basic services, including education and health-care services;

12. *Urges* the Government to take immediate steps to protect the human rights to freedoms of expression, peaceful assembly and association;

13. *Welcomes* the implementation by the Government of South Sudan of the revised plan of action to end recruitment of children and to prevent violations committed against them, and strongly urges the Sudan People's Liberation Movement/Army in Opposition to fully and immediately implement its commitment to end violations and abuses against children signed on 10 May 2014;

14. *Recognizes* the important role that women play in building peace, calls for the protection and promotion of women's rights, their empowerment and participation in peacebuilding, conflict-resolution and post-conflict processes, in accordance with Security Council resolution 1325 (2000), and the need to honour commitments made by all parties and to take action to tackle sexual violence, and in this regard calls upon South Sudan to meet the commitments from the joint communiqué on sexual violence signed with the United Nations on 11 October 2014;

15. *Reiterates* the importance of sustaining an objective assessment of the human rights situation in South Sudan;

16. *Requests* the Office of the United Nations High Commissioner for Human Rights:

(*a*) To engage with the Government of South Sudan to monitor, assess and report on the situation of human rights with a view to providing support to the country to fulfil its human rights obligations in consultation with the Government, and to make recommendations on technical assistance and capacity-building and on ways to improve the human rights situation in the country;

(*b*) To engage the Government of South Sudan and other relevant stakeholders, to incorporate a gender perspective, and to consider a full range of information, including from relevant human rights mechanisms, in particular the Human Rights Division of the United Nations Mission in South Sudan in the fulfilment of this mandate with a view to help the country to fulfil its human rights obligations;

(*c*) To support domestic, regional and international efforts towards accountability, reconciliation and other transitional justice measures, including through recommendations concerning appropriate technical assistance, taking into consideration the findings and recommendations in the report of the African Union Commission of Inquiry on South Sudan;

17. *Calls upon* the Government of South Sudan to cooperate fully with the Office of the High Commissioner in the implementation of the present resolution, including by facilitating visits and access to the country;

18. *Encourages* the Office of the High Commissioner and relevant special procedures mandate holders to provide, in consultation with the Government of South Sudan, advice and technical assistance on implementing the above-mentioned steps;

19. *Calls upon* the Government of South Sudan to continue to cooperate constructively with the United Nations, including the United Nations Mission in South Sudan;

20. *Requests* the High Commissioner to present to the Human Rights Council at its thirty-first session a preliminary oral report, and to present a full report to the Council at its thirty-second session in an interactive dialogue;

21. *Requests* the Office of the High Commissioner provide all necessary and appropriate resources to fulfil the present resolution;

22. *Decides* to remain seized of the matter.

United Nations A/HRC/29/L.23

General Assembly

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Human Rights Council
Twenty-ninth session
Agenda item 4
Human rights situations that require the Council's attention

Croatia,* Cyprus,* Djibouti,*France, Montenegro, New Zealand,* Somalia:* draft resolution

29/... Situation of human rights in Eritrea

The Human Rights Council,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant international human rights instruments,

Recalling resolution 91 and decisions 250/2002 and 275/2003 of the African Commission on Human and Peoples' Rights,

Recalling also its resolution 5/1, on institution-building of the Human Rights Council, and 5/2, on the Code of Conduct for Special Procedures Mandate Holders of the Council, both of 18 June 2007, and stressing that the mandate holder shall discharge his or her duties in accordance with those resolutions and the annexes thereto,

Recalling further its resolutions 20/20 of 6 July 2012, 23/21 of 14 June 2013 and 26/24 of 27 June 2014,

Commending the commission of inquiry on human rights in Eritrea for completing its work in a transparent, impartial and consultative manner,

Deeply regretting the lack of cooperation by the Government of Eritrea with the commission of inquiry and the Special Rapporteur on the situation of human rights in Eritrea, including the lack of access to the country,

Stressing the importance of the first-hand accounts of victims and witnesses who delivered testimonies at the confidential interviews held by the commission and through written submissions,

Emphasizing that everyone has the right to take part in the conduct of public affairs of his or her country, directly or through freely chosen representatives, and expressing

* Non-member State of the Human Rights Council.

grave concern that national elections in Eritrea have not been held since 1993 and that the Constitution of 1997 has never been implemented,

Reiterating its deep concern at the ongoing reports of grave violations of human rights by the Eritrean authorities against their own population and fellow citizens,

Expressing deep concern at the commission's findings that systematic, widespread and gross human rights violations have been and are being committed by the Government of Eritrea, and that the violations in the areas of extrajudicial executions, torture and ill-treatment, including sexual violence and abuse, national service and forced labour may constitute crimes against humanity,

Noting with grave concern the continued use by the Government of Eritrea of arbitrary arrest and detention, including incommunicado detention and in life-threatening conditions, of persons for suspected of evasion of national service, attempting to flee the country or having a family member who has fled, inability to produce identity documents, being a journalist, exercising the right to freedom of religion, being perceived as critical of the Government, and of those who return to the country, as well as those detained in the aftermath of the takeover on 21 January 2013 of the building housing the Ministry of Information,

Expressing grave concern at the widespread use of indefinite conscription into national service, a system that constitutes forced labour, and the reported forced conscription of children under the age of 18 into military service, and regretting that the fear and experience of a lengthy national service causes large numbers of Eritreans to leave the country,

Expressing grave concern also at reports that the Government of Eritrea is also forcing persons to participate in its citizen militia,

Deeply concerned that the situation of human rights in Eritrea incites an ever-increasing number of Eritreans to leave their country, often facing risks of abduction, abhorrent physical and mental abuse and other ill-treatment on their migration path, abused by smugglers and human traffickers,

Reaffirming that everyone has the right to leave any country, including his or her own, and to return to his or her country,

Noting the participation of Eritrea in the second cycle of the universal periodic review as well as its approval of several recommendations, while regretting the lack of implementation by Eritrea of the recommendations made at its first review,

Recalling the obligations of Eritrea under the International Covenant on Civil and Political Rights, the Convention on the Rights of the Child and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,

1. *Welcomes* the report of the commission of inquiry on the situation of human rights in Eritrea,[1] and notes the importance of the work of the commission of inquiry and the information it has collected in support of future accountability efforts;

2. *Also welcomes* the third report of the Special Rapporteur on the situation of human rights in Eritrea;[2]

[1] A/HRC/29/42.
[2] A/HRC/29/41.

3. *Strongly condemns* the systematic, widespread and gross human rights violations that have been and are being committed by the Government of Eritrea in a climate of generalized impunity;

4. *Condemns in particular* the extrajudicial executions, enforced disappearances, torture, arbitrary and incommunicado detentions, and human rights violations in the context of indefinite national service, including those involving forced labour, forced military conscription of children and sexual violence;

5. *Expresses its deep concern* at the severe restrictions on the rights to freedom of opinion and expression, freedom of information, liberty of movement, freedom of thought, conscience and religion, and freedom of peaceful assembly and association, and at the detention of journalists, human rights defenders, political actors, religious leaders and practitioners in Eritrea;

6. *Reiterates* its numerous calls upon the Government of Eritrea, without delay:

(*a*) To end its use of arbitrary detention of its citizens, and to end the use of torture or other cruel, inhumane and degrading treatment or punishment;

(*b*) To account for and release all political prisoners, including members of the G-15 reform group and journalists;

(*c*) To account for those detained in the aftermath of the takeover on 21 January 2013 of the building housing the Ministry of Information, and to release them or to ensure that they are given a free and fair trial, with full respect for due process;

(*d*) To ensure free and fair access to an independent judicial system for those detained, and to improve prison conditions, including by prohibiting the use of underground cells and shipping containers to hold prisoners, ending the use of secret detention centres and secret courts and the practice of incommunicado detention, allowing regular access to prisoners for relatives, legal advocates and other competent and legally authorized authorities and institutions, and to grant unhindered access to medical care;

(*e*) To put an end to the system of indefinite national service by demobilizing the national service conscripts who have completed their mandatory 18 months of service, as announced by the Government of Eritrea, and by effectively ending the practice of engaging them in forced labour after such a period, to provide for conscientious objection to military service, and to end the compulsory practice of all children undertaking the final year of schooling in a military training camp;

(*f*) To end the practice of forcing citizens to participate in the militia;

(*g*) To investigate promptly all allegations of extrajudicial killings, torture and other cruel, inhumane and degrading treatment or punishment rape and sexual abuse within the national service, and to bring perpetrators to justice;

(*h*) To end the practice of shooting at Eritrean citizens attempting to cross the border to flee the country;

(*i*) To collaborate with human rights and humanitarian organizations and to allow them to operate in Eritrea without fear or intimidation in order to facilitate the full implementation of the Strategic Partnership Cooperation Framework for 2013-2016 signed by the Government of Eritrea and the United Nations on 28 January 2013, as well as other human rights-related projects;

(*j*) To respect everyone's right to freedom of expression and to freedom of thought, conscience and religion or belief, and the rights to freedom of peaceful assembly and of association;

(*k*) To enhance further the promotion and protection of women's rights, including by taking additional measures to combat harmful practices, such as child, early and forced marriage and female genital mutilation;

(*l*) To implement the recommendations made during its second universal periodic review, to report on progress made and to cooperate fully with the Human Rights Council and the universal periodic review during its third cycle;

(*m*) To end "guilt-by-association" policies that target family members of those who evade national service or seek to flee Eritrea;

(*n*) To cooperate fully with the Office of the United Nations High Commissioner for Human Rights in accordance with its international human rights obligations by, inter alia, allowing unhindered access to a further mission by the Office as requested by the High Commissioner, the human rights treaty bodies and all mechanisms of the Human Rights Council, and to cooperate with all international and regional human rights mechanisms;

(*o*) To provide the Office of the High Commissioner with all relevant information on the identity, safety, well-being and whereabouts of all detained persons and persons missing in action, including members of the G-15, journalists, those detained in the aftermath of takeover on 21 January 2013 of the building housing the Ministry of Information, and the 19 Djiboutian combatants;

(*p*) To allow the creation of political parties and to hold free, fair and transparent democratic elections at all levels, in accordance with international democratic standards;

(*q*) To account for the modalities and the progress of the expert group appointed to work on a constitution for Eritrea, while implementing the Constitution of 1997 in the meantime, and to govern in accordance with the principles of the rule of law;

7. *Urges* Eritrea to make available information pertaining to the Djiboutian combatants missing in action since the clashes of 10 to 12 June 2008 so that those concerned may ascertain the presence and condition of Djiboutian prisoners of war;

8. *Calls upon* of the Government of Eritrea to take immediate and concrete steps to implement recommendations made by the commission of inquiry in its report in order to address the dire situation of human rights in the country;

9. *Decides* to extend the mandate of the Special Rapporteur on the situation of human rights in Eritrea for a period of one year, and requests the mandate holder to present an oral update to the Human Rights Council at its thirty-first session and to address and engage in an interactive dialogue with the General Assembly at its seventieth session;

10. *Also decides* to extend, for a period of one year, the mandate of the commission of inquiry to investigate systematic, widespread and gross violations of human rights in Eritrea with a view to ensuring full accountability, including where these violations may amount to crimes against humanity;

11. *Requests* the commission of inquiry to present an oral update to the General Assembly at its seventy-first session, and a written report to the Council at its thirty-second session;

12. *Calls upon* the Government of Eritrea to cooperate fully with the Special Rapporteur and the commission of inquiry, to permit them and their staff members unrestricted access to visit the country, to give due consideration to the recommendations contained in the reports of the Special Rapporteur, and to provide them with the information necessary for the fulfilment of their mandates, and underlines the importance for all States to lend their support to the Special Rapporteur and the commission of inquiry for the discharge of their mandates;

13. *Urges* the international community to cooperate fully with the Special Rapporteur and the commission of inquiry;

14. *Also urges* the international community to strengthen efforts and collaboration to ensure the protection of those fleeing from Eritrea, in particular the increasing number of unaccompanied children;

15. *Requests* the Secretary-General to provide the Special Rapporteur and the commission of inquiry with all information and the resources necessary to fulfil their mandates;

16. *Decides* to transmit all reports and oral updates of the commission of inquiry to all relevant bodies of the United Nations, including the General Assembly and the Secretary-General, for appropriate action;

17. *Requests* the Office of the High Commissioner to continue to enhance engagement in improving the situation of human rights in Eritrea, and to report on progress in the cooperation between Eritrea and the Office to the Human Rights Council at its thirty-first session;

18. *Decides* to remain seized of the matter.

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Human Rights Council
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Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Bolivia (Plurinational State of), Cuba, Dominican Republic,* Ecuador,* Egypt,* El Salvador, Haiti,* Honduras,* Morocco, Namibia, Nicaragua,* Panama,* Paraguay, Peru,* State of Palestine,* Thailand,* Tunisia,* United States of America, Venezuela (Bolivarian Republic of): draft resolution

29/... Unaccompanied migrant children and adolescents and human rights

The Human Rights Council,

Reaffirming the Universal Declaration of Human Rights, which proclaims that all human beings are born free and equal in dignity and rights, and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, in particular as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Recalling the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the Optional Protocol thereto on the sale of children, child prostitution and child pornography, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of Persons with Disabilities, the Vienna Convention on Consular Relations, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Convention against Discrimination in Education, the 1951 Convention relating to the Status of Refugees and

* Non-member State of the Human Rights Council.

the 1967 Protocol thereto and the Worst Forms of Child Labour Convention, 1999 (No. 182) of the International Labour Organization,

Recalling also previous resolutions of the General Assembly, in particular resolution 69/187 of 18 December 2014, adopted by consensus, and of the Human Rights Council, on the protection of the human rights of migrants, and the work of various special mechanisms of the Council that have reported on the situation of human rights and fundamental freedoms of migrants, Commission on Population and Development resolution 2013/1 of 26 April 2013, entitled "New trends in migration: demographic aspects," and the Declaration of the High-level Dialogue on International Migration and Development, adopted on 3 October 2013,

Taking into account the attention paid by the treaty bodies, including the Committee on the Rights of the Child, to the treatment of unaccompanied and separated children outside their country of origin and their enjoyment of human rights, including in its general comment No. 6 (2005), as well as the general discussion of the Committee in 2012 on the rights of all children in the context of international migration,

Expressing serious concern about the situation of vulnerability and risk faced by migrants in transit and destination, in particular children, including adolescents, who are unaccompanied or separated from their families, who are forced to flee or decide to leave their homelands owing to multiple causes, and calling upon States of origin, transit and destination to work together to find effective and sustainable solutions within a framework of solidarity and regional and international cooperation,

Concerned by the fact that migrant children and adolescents, who find themselves in a vulnerable situation by attempting to cross international borders without the required travel documents, may be exposed to serious human rights violations and abuses that can threaten their physical, emotional and psychological well-being, and may also be exposed to crimes and human rights abuses committed by transnational criminal organizations or gangs, including crimes such as theft, kidnapping, extortion, physical abuse, sale of persons and trafficking in persons, including forced labour, and sexual abuse and exploitation,

Mindful of the fact that, in the fulfilment of their obligations to promote, protect and respect human rights, States of origin, transit and destination can benefit from schemes of international cooperation,

1. *Calls upon* countries of origin, transit and destination to facilitate family reunification, as appropriate, as an important objective in order to promote the welfare and the best interests of migrant children, including adolescents, as applicable under national law, due process and the relevant provisions of the Convention on the Rights of the Child and the Optional Protocols thereto, and to comply with the consular notification and access obligations set forth in the Vienna Convention on Consular Relations so that States may provide child-friendly consular assistance, as appropriate, including legal assistance;

2. *Encourages* States to continue to take into account the principle of the best interests of the child as a primary consideration, and to promote, protect and respect their human rights, bearing in mind their needs in the process of return to their countries of origin;

3. *Encourages* States of origin, transit and destination to continue to seek greater cooperation and technical assistance with all relevant stakeholders in different areas in order to identify jointly alternatives to reduce, mitigate and eliminate the causes and structural factors that lead to irregular migration so as to prevent minors from feeling compelled to migrate from their communities, while taking into account the need to promote capacity-building activities;

4. *Requests* the Advisory Committee to develop a research-based study on the global issue of unaccompanied migrant children and adolescents and human rights, in which it identifies areas, reasons and cases where this issue arises in the world, and the ways in which human rights are threatened and violated, and makes recommendations for the protection of the human rights of members of this population, and to submit it to the Human Rights Council at its thirty-third session for its consideration;

5. *Calls upon* all States to ensure that their immigration policies are consistent with their obligations under international human rights law, and to promote the enjoyment of human rights by all migrants without discrimination, including by taking steps to increase cooperation and coordination at all levels to detect and suppress the smuggling of migrants and trafficking in persons, in accordance with international law;

6. *Requests* special procedures of the Human Rights Council, within their mandates, to continue to give due consideration to the situation of unaccompanied migrant children, including adolescents, and the impact of this issue on the full enjoyment of their human rights, and to continue to report thereon;

7. *Decides* to remain seized of the matter.